



Journal of the Senate

Number 1

Tuesday, February 2, 1993

Beginning the Twenty-fifth Regular Session of the Legislature of Florida convened under the Florida Constitution of 1968, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 2nd day of February, A.D., 1993, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—39:

Mr. President	Diaz-Balart	Holzendorf	Scott
Bankhead	Dudley	Jenne	Siegel
Beard	Dyer	Jennings	Silver
Boczar	Foley	Johnson	Sullivan
Brown-Waite	Forman	Jones	Thomas
Burt	Grant	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams
Dantzler	Hargrett	Meadows	

Excused: Senator Myers

PRAYER

The following prayer was offered by Judge Mack Crenshaw, Jr., brother of the President:

Almighty and everlasting creator, sustainer and Father, we thank you that our nation and state is composed of people who believe in the importance and power of prayer.

As George Washington expressed in his first inaugural address: "We ought to be no less persuaded that the propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right which heaven itself ordained."

Father, give these Senators wisdom and insight to know what is acceptable in thy sight.

Bless, O Lord, all the people of this state from the richest to the poorest, from the oldest to the youngest.

Help each of these Senators and the people they represent to follow the words of the famous Jewish writer:

"Live in harmony with one another,
be sympathetic, love as brothers,
be compassionate and humble.
Do not repay evil with evil
or insult with insult, but with blessing,
because to this you were called
so that you may inherit a blessing."

May we echo the prayer of George Washington, our first President, that "we might do justice, love mercy, and demean ourselves with that charity, humility and pacific temper of mind, which were the characteristics of the divine author of our blessed religion, and without an humble imitation of whose example in these things we can never hope to be a happy nation."

And Lord, may we, as Abraham Lincoln declared, never become "too self-sufficient to feel the necessity of redeeming and preserving grace. May we never become too proud to pray to the God that made us."

In the name of the God of Abraham, Isaac and Jacob, I pray. Amen.

PLEDGE

The President led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL GUESTS

The President introduced his family as follows: wife, Kitty; daughters, Sarah and Alex; brother and sister-in-law, Mack and Connie Crenshaw, and their daughters, Susan and Ginny.

The President recognized former Senate Presidents Randolph Hodges, Philip Lewis, W. D. Childers, Bob Crawford and Gwen Margolis.

The President also recognized former Senators Warren Henderson and John Rawls; and Allen Morris, Historian of the House of Representatives.

THE PRESIDENT'S ADDRESS

I see in this chamber today friends with whom I have locked arms—foes with whom I hope to join hands—and nineteen new faces who have come to breathe new energy and life into the Florida Senate.

We are all here for one reason—to do our best for the state that we love—according to our own lights and those made brighter by the discussions and debates that light all democracy.

For the first time in history our chamber is equally divided by party, distinguished by diversity, and representative of every hope and dream of every man and woman who has sent us here to serve. And while old habits of favor and privilege give ground begrudgingly, we have this incredible opportunity to break new ground, make new beginnings, and give new meaning to public service.

There have been times in the past when sunlight has been missing from this place—now is the time to let it in.

Later on this very day we will hear from the Governor. And on every day following, he will hear from us. As before there will be much that we agree with and some that we dispute.

But, unlike before, where party lines were drawn tightly between the Governor's office and the people's Senate—there is now no tie that binds us against our will, or our willingness to do our duty as we see it.

Last November, by a vote of the people, the Senate of the State of Florida was given its "Declaration of Independence." Now we must prove worthy of it.

One way we will be judged is how we conduct ourselves in our own house. We will be seen either as masters of privilege or servants of need, as spenders unleashed or guardians of the public purse, as messengers of the special interests or protectors of the general welfare.

Make no mistake, many condemn this house we dwell in. It is up to us to make them revere it.

We will not all agree, but all will be heard. We will not all get our way, but all will have their moments of triumph. In fighting the good fight, there are never losers.

Our first session together in this new environment of change will deal with the whole quality of Florida life.

Do we invest in schools that don't work—with students dropping out of the classroom and into the courtroom?

Or can we do better, by understanding that money is not the only solution? Creativity and flexibility will give us schools that can make the grade, teachers who are free to teach—and students that hang in and don't drop out. When we get parents involved—not just government—and give these parents a voice and a choice, the silence of minds at work will be heard across Florida.

Do we continue to invest in a welfare system that imprisons people, that penalizes them for striving to better themselves and their families and holds them back from reaching their full potential?

Or can we do better, by helping people imprisoned by welfare break their chains, drive the drug merchants out of their neighborhoods and away from their kids, and work their way to freedom? When we stop rewarding unwanted pregnancies and delinquent fathers, and start rewarding every citizen who wants to learn and earn, we'll have a Florida that is safer and saner than ever before.

Do we continue to turn our backs on crime when all around us people have their backs to the wall? Or can we do better by cracking down—by putting violence behind bars and keeping it there, and bringing truth to sentencing—making ten years mean ten years—and not one day less?

Do we continue to keep health care on the back bench—with millions of people left out and hundreds of millions of dollars lost in the shuffle?

Or can we do better, by putting health care on the front burner where it belongs and making it accessible and affordable for all?

Do we continue to look to the sun alone to power our economic growth? Or can we do better by reaching for our future, planning for it—and steering a course that takes us into tomorrow by recruiting clean industry and streamlining the permitting process. And can we do better by designing an effective vocational plan that readies our workers for the industries of the future?

And finally, do we continue to raise taxes every time we perceive—or create—a budget crisis?

Or can we do better, by putting a cap on state revenues to help give us the discipline to reign in spending—the courage to make the right choices, even when they're hard—and the determination to make sure that every task of government is accomplished more efficiently and effectively than ever?

Before we tinker with our tax system we must assure the people that we are spending their tax dollars as if they were our own. And we must demonstrate that we know what every family, every business and every taxpayer already knows—we have to live within our means.

This year Florida's economic growth will bring in more than one billion new dollars—without a tax increase. Imagine what we can do when the economy is working again.

And this year we can make something else happen too. We can vow never again to waste our time and the people's money wrangling over reapportionment. Let's take it out of politics once and for all. Let an independent commission decide the lines, and let the people judge who is worthy—not the back room map makers.

One thing about new presidents, new beginnings, and all the fuss that attends them, for a brief moment history stands suspended and tomorrow appears in a new and different light.

There is hope where once despair had been. Real or not we feel the urge to find a better day.

So let us seize this moment and not let it fly from us too soon. This spirit that brings us together and makes us one will linger as long as we let it.

So let's roll up our sleeves—start to work, finish on time and go home.

COMMITTEES APPOINTED

On motion by Senator Harden that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Harden, Silver, Holzendorf, Foley, Diaz-Balart, Gutman, Hargrett and Jones. The committee was excused.

On motion by Senator Kiser that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Kiser, Kirkpatrick, Brown-Waite, Kurth, Dudley and Wexler. The committee was excused.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Martinez, Ritchie, Sanderson, Burke, King, DeGrandy, Brennan and Pruitt was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

COMMITTEE DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to notify the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ander Crenshaw, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1-Orig. and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Wallace—

HCR 1-Orig.—A concurrent resolution providing that the House of Representatives and Senate convene in joint session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator Thomas, by two-thirds vote **HCR 1-Orig.** was read the second time by title, unanimously adopted and certified to the House.

COMMITTEE MEETINGS

On motion by Senator Jennings, the rules were waived and the following committees were granted permission to meet this day from 3:00 until 6:00 p.m. to consider agendas published in the calendar: Community Affairs; Criminal Justice; and Education.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Weinstein, by two-thirds vote **SB 2** was withdrawn.

On motions by Senator Casas, by two-thirds vote **SB 40** was withdrawn from the committees of reference and further consideration.

On motions by Senator Wexler, by two-thirds vote **SB 64** was withdrawn from the committees of reference and further consideration.

On motions by Senator Jennings, by two-thirds vote **Senate Bills 12, 20, 28 and 60** were withdrawn from the Committees on Health Care and Appropriations and referred to the Committees on Health Care and Rehabilitative Services; and Appropriations; **SB 176** was withdrawn from the Committees on Community Affairs; and Health and Rehabilitative Services and referred to the Committees on Health and Rehabilitative Services; and Community Affairs; and **Senate Bills 244 and 256** were withdrawn from the Committees on Community Affairs; and Finance, Taxation and Claims and referred to the Committees on Finance, Taxation and Claims; and Community Affairs.

MOTIONS

On motion by Senator Jennings, by two-thirds vote the report of the Committee on Rules and Calendar on proposed changes to the Senate Rules was set as the Special Order Calendar for Wednesday, February 3.

Senator Jennings moved that following the joint session, the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, February 3 at 9:00 a.m. The motion was adopted.

(See remainder of Senate business following the joint session.)

JOINT SESSION

Pursuant to **HCR 1-Orig.**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by the Honorable Bolley Johnson, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Florida Cabinet and justices of the Florida Supreme Court were received and seated.

The Speaker invited Senator Crenshaw, President of the Senate, and Senator Thomas, President Pro Tempore of the Senate, to the rostrum and requested the President to preside over the joint session.

THE PRESIDENT PRESIDING

The president declared a quorum of the joint session present.

Judge Mack Crenshaw, Jr. delivered the prayer.

The President led the pledge of allegiance to the flag of the United States of America.

On motion by Representative Wallace that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Scott, Jennings, Bankhead, Casas and Meadows; and on behalf of the Speaker, appointed Representatives Mackenzie, Chestnut, Dean Saunders, Mortham and Hawkins. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, the Honorable Lawton Chiles, Governor of Florida, who was escorted to the rostrum.

SPECIAL GUESTS

The President recognized the following special guests: Mrs. Lawton Chiles, wife of the Governor; Mrs. Buddy MacKay, wife of the Lieutenant Governor; Mrs. Ander Crenshaw, wife of the President; Alex and Sarah Crenshaw, daughters of the President; Mrs. Pat Thomas, wife of the President Pro Tempore; and Mrs. Bolley Johnson, wife of the Speaker.

The President presented the Governor to the joint assembly.

THE GOVERNOR'S ADDRESS

Speaker Johnson, President Crenshaw, Chief Justice Barkett and members of the Supreme Court, my friend and colleague Buddy MacKay, members of the Cabinet, members of the Senate and the House of Representatives, and fellow Floridians.

Early on an August morning, five months ago, the face of Florida was changed forever. The savage winds and raw power of Hurricane Andrew cut a path of destruction from Miami through the communities of Coral Gables, Kendall, Perrine, Cutler Ridge, Goulds, and down through Homestead, Florida City, Key Largo—and through Southwest Florida, too.

A new chapter was added to our history in just a few short hours as we survived an event that will shape our lives for months and years to come.

South Florida suffered the damage. But, all of Florida felt the pain.

In the hours and days that followed, I walked through those storm-ravaged neighborhoods and talked with the people whose homes were left in shambles. Through the medium of television, the nation shared their staggering sense of loss.

South Florida was in shock. Never before has a natural disaster brought so much damage and devastation to any part of America.

When the winds and rains died down, more than 28,000 homes had been destroyed and another 100,000 suffered damage. In all, 175,000 Floridians were homeless.

Eighty-two thousand businesses were either leveled or in need of repairs. Hospitals and schools were closed—or open only as emergency shelters. All of these—homes, schools, places of work and worship—were suddenly gone.

For so many people whose lives were shattered, shock and disbelief turned to anger, frustration and blame. But the faith of people helped them realize that blame does not rebuild anything.

We accepted what had happened. We committed to get past this trauma—and to do more than just survive it. The people who lost the most said this was not the end—that it would be a new beginning.

In the days and weeks that followed Hurricane Andrew, we have witnessed a most remarkable triumph of the human spirit.

It started with the stories of everyday heroes and heroines—like Susan Johnson, a nurse from Homestead.

I met Susan when I walked into Homestead Hospital in South Dade. Her face and hand had been badly cut by flying shards of glass. She was struck while rescuing an elderly patient who was crying for help as the windows blew into her hospital room.

Susan received more than 25 stitches in the emergency room—and then went back to work for hours—because there were others who needed her help.

In the aftermath of Andrew, courageous acts were the order of the day. Countless people reached outside their own problems to help others.

Through all of the sadness, we saw people helping people regardless of race, religion or station in life. Rows of houses became neighborhoods; strangers became friends. There would be only one home with a phone in several blocks, but all in need were welcome there—everyone shared. In short, crowds became communities.

Florida's businesses rallied to the cause, raising millions of dollars. Hundreds of health care workers and law enforcement officers volunteered to serve in the relief effort. And our own National Guard—which performed with such distinction—saw the largest mobilization in its history.

Added to this was the response from the hundreds of thousands of Floridians who wanted to help—even though they lived far away. The storm did not touch their lives—but the needs of other people did.

The rebuilding of South Dade County is now underway, with the people there working side by side. Houses and businesses are coming back through their labor—and a community is coming together through their spirit. Throughout Florida and across America, no one doubted the urgent need to come to the aid of our neighbors. From board rooms to classrooms to living rooms—and in these rooms, too.

Last December, during a three-day special session, we made sure that hurricane victims did not become political victims. We saw needs so overwhelming that our only responsible choice was to take decisive action.

We didn't do it as the Governor, the House or Senate, Democrats or Republicans.

We did it as Floridians—and we did it together.

Under the leadership of Speaker Johnson and President Crenshaw, we were united and focused on getting results—because we put the needs of the people first. We agreed on important basic principles—and we succeeded in working out the differences and details.

We didn't allow the special interests to get in the way of the people's interests.

We did it only one month after the election of the largest class of freshman House and Senate members that anyone can remember.

How memorable for you new members to have had the experience of last December's extraordinary special session—when there was no partisan posturing and no gridlock. The blame game was not played.

Who won?

The people won.

And because the people won, the institution of the Florida Legislature won—the House and Senate won.

Republicans and Democrats won. Each of you won.

And we all won—together.

In that special session, Florida had problems that we had to deal with: hurricane-related needs—and the need to re-regulate parimutuels.

No one tried to say, “These are not really serious issues” or “We don’t need to do anything about these right now.”

We all worked to see how quickly we could get the job done—instead of acting as if no emergency existed.

We decided to trust each other and share credit rather than level blame. And we took decisive action together.

As a result, the people of Florida saw their government work for them.

Can we do it again?

Can we use this model, together, and solve other problems confronting Florida? They’re just as real, they’re just as urgent, and if we work together, we can solve them, too.

HEALTHY HOMES

Florida has the highest percentage of uninsured people in the United States. More than 70 percent of these uninsured are working people or members of their families.

Two-and-a-half-million Floridians go to bed every night, and they’re literally afraid to get sick.

Last Friday, I walked through the emergency room at Tampa General Hospital. It was late afternoon—and it was like a MASH hospital, with a battle in progress. But the doctors and staff said it was a typical day at Tampa General.

Philmore Bryant’s daughter was sick with a virus—and the emergency room was the only place he could bring her because he had no insurance.

Across the hall, Lois Earl was sitting in a wheelchair waiting for a check-up on her heart problems. Like Mr. Bryant, she told me insurance is too high to afford—and all she can do is come to the emergency room. She asked me if there’s any help for people like her.

The good news I share with you today is “Yes”—there is help on the way.

Yesterday, after meeting with President Clinton and other governors in the White House, a major obstacle was removed from our path to provide all Floridians with access to health care.

The President said that he would expedite the process to allow Florida and all the other states to experiment with better ways to deliver health services to more people at lower costs. That’s exactly what we’ve been asking for—the freedom to build a national model here in Florida.

That was the purpose that united us in support of the Health Care Reform Act last year. That landmark action commits us to providing care to all Floridians by the end of 1994.

We have talked with all of the players in the health sector—from patients to providers—and we have learned what needs to be done.

I want to personally thank everyone involved in this process—especially the business community.

The plan we’re sending you seeks voluntary participation from everyone involved. Managed competition—the pooling of resources among state employees, Medicaid patients, and business that will help us buy the best quality care at the lowest cost.

We can’t wait for a national plan that will delay our ability to provide access to people who need it. We can show the way. We can make dust—or eat dust.

We can make Florida the national leader in providing affordable health care to all our citizens in a partnership that’s not controlled by government.

I ask you to join me in making this issue a priority in the first 30 days of this session.

TAX FAIRNESS

I know you and I share the same vision for a better Florida. And it’s a vision that is totally opposite of what we see in Florida today.

We rank last among the states in the overall health of our people. Every four hours, a baby dies in Florida. And we’re 18th in the percent of children who live in poverty.

Our education spending is the fifth-lowest in the country—and our drop-out rate is among the highest.

We’re a national leader in violent crime—and juvenile crime is on the rise, with no space in the system to help troubled youth.

And we’re in danger of becoming the minimum-wage capital of America—at a time when we desperately need clean, high-tech industry and the high-paying jobs it brings.

Our country couldn’t put men on the moon with the conventional engine—we had to design a rocket. And we must redesign our tax engine if we want to move Florida forward.

Every serious study of our tax system—by the Florida Chamber, the Council of 100, and the recent Tax and Budget Reform Commission—has reached the same conclusion.

If we don’t change the tax system—make it more fair, broader-based—and if we continue to just patch—we won’t change Florida.

To take this out of politics, we’ve proposed a revenue-neutral process that will require us—the Legislature and the Executive—to examine and test all of the sales tax exemptions.

Legitimate ones—like food, medicine and religious activities—should be retained. But, those that exist solely for the benefit of special interests must be eliminated. As we weigh the value of closing those loopholes, we can lift a burden off the people by providing property tax relief.

Our corporate tax laws need revision as well. Right now, only a small handful of our more than one million businesses are paying any corporate income tax. We want to form a partnership among all Florida businesses.

Our “Package for Progress” builds a stronger economy by growing our own businesses, and by attracting new businesses with good jobs.

It also protects a fragile environment by providing a permanent funding source for Preservation 2000.

These reforms are our key to moving Florida forward. It is the way for us to unlock the future.

SAFE STREETS

Floridians expect the law to protect them, their families and businesses. And the criminal justice system should protect the individual even as it works to preserve neighborhoods and promote safe streets.

A few weeks ago, I walked the beat with Orlando police officers John Martin and Norris Butler. They truly have made a difference in Carver Court, a neighborhood that used to be plagued by crime.

On and off the job, these two men have built community pride. They’ve organized neighborhood youth and channeled their energies into sports and community service, rather than gangs and drugs.

They’ve enlisted the support of local merchants to sponsor beautification projects, meals for the elderly, and healthy pursuits for children. Officers Butler and Martin proved to me that solutions to many of our problems can be found in cities and towns and neighborhoods across the state.

But our state system has been broken for many years. We found a system so crowded that the federal court—not Florida—determines how many inmates we can hold—and for how long.

When most people work hard 50 weeks a year just to earn two weeks off, they don’t understand why violent criminals get a free vacation

through early prison releases. They're outraged that someone like child-killer Donald McDougall nearly walks to freedom after serving less than one-third of his sentence.

At my request last session, you changed the law that would have allowed this to happen. But, without action before October, nightmares like this could be repeated.

Our Safe Streets initiative includes 3,600 new prison beds for violent criminals. We can eliminate basic gain time and shut down our prison "time machine" that quickly sends inmates back to their future. We can divert non-violent offenders into less costly programs—so that violent offenders will spend more time behind bars.

But, we have to start working for success long before the prison doors close on our failures. We must strengthen Florida's juvenile justice system with a focus on reclaiming young lives—not giving them a graduate degree in crime.

Last week, we brought all of the partners in our criminal justice system to the table during our Safe Streets conference in St. Petersburg. It was the first time they've all sat down together to search for solutions.

And now I'm asking you to do that, too. Jimmy Johnson had a game plan for the Super Bowl. Florida must have a game plan for criminal justice. Help us put it together.

LOTTERY JUSTICE

Five years ago, the Florida Lottery was launched with the promise of enhancing education—funding education "extras" that can make good schools excellent schools. The promise was broken.

That money should have been used to make our schools better. Instead, it is being used just to keep them running.

Parents, teachers and students all over the state have told me they don't think it's right to use lottery dollars simply to replace the money schools should be getting anyway.

I read where you and your leadership want to get out on time—and the main reason was to restore the confidence of the people in the legislature.

If that's what we want to do, restoring the lottery dollars back to the schools for enhancement—as was promised—would be the best action we all could take. That would be Lottery Justice.

WORKERS' COMPENSATION REFORM

It is impossible to build a strong economy if small businesses can't succeed. But soaring workers' compensation rates are putting small businesses out of business every day. Small business is demanding our help.

We have to return the system to its original purpose: serving employers and their workers—not lawyers—not doctors—and not insurance companies.

WELFARE REFORM

In our welfare system, too many of our families are entangled in the welfare net, unable to break free. We need to create a system that provides welfare dependents with the work skills they need to achieve independence. A system in which people who have been tax takers can become taxpayers.

I applaud the bipartisan approach for welfare reform.

CAMPAIGN FINANCE REFORM

Money has too loud a voice in Florida's elections process. Despite our sweeping reforms in 1991, there is still more work to be done if we are to win and keep the people's trust. Our campaign and ethics reforms strengthen the reporting about who gives, who gets, how much and for what. Just as the salaries of everyone in this chamber are a public record, it's about time the people learned about the fees of the people out there who are trying to influence our vote.

The only contingency that should guide our debate on public issues is good public policy.

Last year, too much time and goodwill was consumed by the rancor over reapportionment. We learned that no party has a lock on wisdom when it comes to drafting a plan that is fair. We can put that process behind us by standing on common ground for a Constitutional amendment for a Reapportionment Commission. There are many plans out there—and I'm flexible on the details.

DNR/DER MERGER

Florida's business leaders have now realized that our state must have a healthy environment for them to be successful.

Florida's environmental leaders have now realized that to protect and enhance our state's environment, we must have a strong economy.

Business needs to know what our rules are—to get a straight answer without great delays or undue costs.

Our environment needs a state agency with the talent and resources to properly shape the land we have and protect the quality of life that we are so blessed with.

We can accomplish both these goals with the merger of the Department of Environmental Regulation and the Department of Natural Resources.

DPR/DBR MERGER

In that same spirit of making our government work better, we're looking to merge the Department of Business Regulation and the Department of Professional Regulation.

Last year, we proved that combining agencies with similar functions will save us the costs of duplication—and pay us dividends in better service to the taxpayers.

THE SMART-DOLLAR BUDGET

In fulfilling my duties, I have proposed a budget to meet the essential needs of our people. After painful study, I determined that it required requesting \$630 million in new taxes.

Let me assure you and the people of Florida that I don't love to raise taxes or even talk about taxes. But Buddy and I made a commitment—to talk about things the way they are; to call it like we see it.

Yes, we had growth revenues of over one billion dollars—but our increased caseload for Medicaid, Aid to Families with Dependent Children, and the thousands of new pupils in K through 12 used up all that money.

We had to ask for additional money to fund community colleges, universities, law enforcement, prisons, community and economic development, and expanded access to health care.

We required our agencies to make cuts and savings of 200 million dollars. Look at them. If you can find more savings, please do.

The one law we must pass this year is a budget which provides a way to pay for all the programs we prescribe. I am required to propose a budget that meets Florida's essential needs. You are required to exercise your judgment and take action on that budget.

We call this our Smart-Dollar approach—putting our first dollar toward preventing problems from getting worse and more expensive. Smart-Dollar spending recognizes that every dollar should count. Spending wisely now prevents spending more later.

These are the issues facing us over the next few weeks. And we must address them.

Will we delay and deny them—or face up and solve them?

CONCLUSION

The first Sunday after Hurricane Andrew, I visited several churches in South Dade County. I was amazed to hear a lady refer to the hurricane as "Saint Andrew."

She said: "Saint Andrew paid us a visit and blew down our walls and our trees so we could see each other and help each other. Now, we've become neighbors again."

How could she look at the storm that way? But, in the days that followed, I began to understand.

People did act differently. They found they needed each other.

You and I acted differently toward each other, too. We worked together.

We know South Florida will never be the same—it will be better.

Today, I ask you to join me—to make all of Florida better.

Together, we can do it.

DISSOLUTION OF JOINT SESSION

Following the Governor's address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet and justices of the Supreme Court.

On motion by Senator Jennings, the joint session was dissolved at 12:00 noon and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate business taken up prior to joint session.)

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SB 2—Withdrawn.

By Senator Thomas—

SR 4—A resolution recognizing R. Nathaniel Niles, Director of Student Housing at the Florida Agricultural and Mechanical University, for more than 33 years of exemplary service to that institution.

—was referred to the Committee on Rules and Calendar.

By Senator Grogan—

SB 6—A bill to be entitled An act relating to road designations; designating a portion of Highway A1A in Brevard County as the Flagg Hartmann Highway; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator McKay—

SCR 8—A concurrent resolution to the Congress and the Supreme Court of the United States requesting Congress to enact legislation, and the Supreme Court to amend its rules, regarding litigation pertaining to conditions of confinement in state, territorial, county, or municipal correctional detention facilities.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By Senator McKay—

SB 10—A bill to be entitled An act relating to sentencing; requiring courts to state the dates projected for defendants to be released based upon information provided by the Department of Corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By Senators Childers and Myers—

SB 12—A bill to be entitled An act relating to the Health Care Cost Containment Board; repealing s. 407.60, F.S., relating to duties of the board with respect to establishing a fee schedule for radiation therapy procedures; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By Senators Scott, Wexler, Weinstein and Jenne—

SB 14—A bill to be entitled An act relating to ad valorem tax relief for certain victims of natural disasters; providing for abatement or rebate of a portion of ad valorem taxes for certain owners of residential structures made uninhabitable by hurricanes, tornadoes, or storms occurring on or after August 1, 1992; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Senator Bankhead—

SB 16—A bill to be entitled An act relating to aid to families with dependent children; amending s. 409.029, F.S.; authorizing employability skills training programs under the Florida Employment Opportunity Act; requiring recipients of aid to families with dependent children, after a period of time, to participate in employability skills training programs; providing exceptions; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator McKay—

SB 18—A bill to be entitled An act relating to insurance; providing for development of a Bill of Rights for Insureds by the Department of Insurance; providing obligations of personal injury protection insurers; providing for payment of interest on personal injury benefits not timely paid; providing penalties; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator McKay—

SB 20—A bill to be entitled An act relating to acquired immune deficiency syndrome; amending s. 381.004, F.S.; requiring persons who undergo invasive procedures in certain medical facilities that receive public funds to be tested for the human immunodeficiency virus (HIV); providing that the results of such tests are confidential; providing for future review of such confidentiality pursuant to the Open Government Sunset Review Act; requiring specified health care personnel to be tested for HIV periodically; providing that informed consent need not be obtained for such testing; providing that face-to-face counseling need not be provided in certain circumstances; correcting cross-references; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By Senator Diaz-Balart—

SB 22—A bill to be entitled An act relating to Dade County; providing for the relief of Raul Gutierrez and Julia Gutierrez, parents of the decedent, Rabsary Gutierrez; authorizing and directing the Dade County School Board to compensate them for the loss of their daughter, Rabsary Gutierrez, as a result of the negligence of the Dade County School Board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Forman—

SB 24—A bill to be entitled An act relating to a pretrial intervention program; amending s. 948.08, F.S.; expanding the program for limited purposes under certain circumstances; providing procedure; providing an effective date.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By Senator Forman—

SB 26—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance to military veterans of specialty license plates; providing for fees and for the deposit and use of those fees; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 28—A bill to be entitled An act relating to reimbursement for Medicaid services; amending s. 409.905, F.S.; increasing the percentage of reimbursement to be paid by the Department of Health and Rehabilitative Services for certain services provided to Medicaid recipients by certain licensed advanced registered nurse practitioners; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By Senator Dudley—

SB 30—A bill to be entitled An act relating to the Florida Prompt Payment Act; amending s. 218.72, F.S.; clarifying that the act applies to payments for construction services; providing an effective date.

—was referred to the Committees on Community Affairs and Appropriations.

By Senators Dudley, Jennings, Kirkpatrick, Thomas and Childers—

SB 32—A bill to be entitled An act relating to offenses involving controlled substances; amending s. 397.12, F.S.; providing that a person charged with or convicted of certain offenses involving controlled substances within the area surrounding a school may not be referred to a drug treatment program in lieu of final adjudication or imposition of criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senators Childers, Brown-Waite, Grant, Harden, Kiser, Thomas and Williams—

SB 34—A bill to be entitled An act relating to the Northwest Florida Creek Indian Council; amending s. 285.19, F.S.; renaming the council; revising the membership of the council; providing for removal of members for nonattendance; providing for election of officers; providing meeting and quorum requirements; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Senator Childers—

SB 36—A bill to be entitled An act relating to drivers' licenses; amending s. 322.17, F.S.; exempting certain veterans from the fees required for the issuance of duplicate or replacement drivers' licenses; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Childers—

SB 38—A bill to be entitled An act relating to firefighters' pension trust funds; amending s. 175.021, F.S.; providing legislative intent that firefighters employed by special fire control districts should be entitled to the same retirement benefits as municipal firefighters; amending ss. 121.021, 175.032, 175.041, 175.061, 175.071, 175.081, 175.091, 175.101, 175.111, 175.122, 175.131, 175.141, 175.152, 175.162, 175.191, 175.201, 175.211, 175.251, 175.261, 175.291, 175.301, 175.311, 175.321, 175.351, 175.361, F.S.; providing for pension funds and retirement benefits for firefighters employed by special fire control districts, which funds and benefits are subject to the same statutory requirements as pension funds and retirement benefits for municipal firefighters; amending s. 175.121, F.S.; clarifying that undistributed funds are annually transferred to support the firefighters' supplemental compensation program; providing for redistribution of certain funds to specified municipalities and special districts; amending s. 624.520, F.S., to conform to changes made by the act;

amending s. 633.382, F.S.; providing for curing of deficits; providing for redistribution of certain funds; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Casas—

SB 40—A bill to be entitled An act relating to consumer reporting agencies; providing a definition; requiring agencies to follow reasonable procedures to assure accuracy; authorizing the Department of Agriculture and Consumer Services to adopt rules prescribing reasonable procedures; requiring agencies to disclose specified information upon a consumer's request; providing for resolution of disputes between agencies and consumers over information in the report; providing civil penalties, costs, and attorney's fees; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By Senators Childers and Wexler—

SB 42—A bill to be entitled An act relating to public pension or retirement benefits and subsidies; amending s. 20.13, F.S., relating to the structure of the Department of Insurance, to delete duties of the Division of Benefits that are assigned or eliminated by this act; amending s. 112.363, F.S.; increasing the employer contribution rate to fund the retiree health insurance subsidy; creating s. 112.666, F.S.; creating the Florida Protection of Public Employee Retirement Benefits Trust Fund; providing for assessment of local retirement systems or plans to pay the costs of administering the Florida Protection of Public Employee Retirement Benefits Act; providing legislative intent with respect to governmental retirement systems; amending s. 121.021, F.S.; conforming the definition of the term "covered group" as used with respect to the Florida Retirement System to a change in terminology made by this act; amending ss. 121.052, 121.055, 121.071, 121.40, F.S.; revising contribution rates applicable to members of the Elected State and County Officers' Class, the Senior Management Service Class, and the Regular, Special Risk, and Special Risk Administrative Support Classes of the Florida Retirement System and the contribution rate applicable to the supplemental retirement plan for the Institute of Food and Agricultural Sciences of the University of Florida; amending s. 121.091, F.S.; revising death benefit provisions under the Florida Retirement System to provide for reinstatement of benefits to a surviving spouse whose benefit terminated due to remarriage; providing for retroactive application; amending s. 121.122, F.S., relating to renewed membership to correct a reference; amending ss. 175.021, 175.032, 175.041, 175.061, 175.071, 175.081, 175.091, 175.101, 175.111, 175.121, 175.122, 175.131, 175.141, 175.152, 175.162, 175.191, 175.201, 175.211, 175.251, 175.261, 175.291, 175.301, 175.311, 175.321, 175.341, 175.351, 175.361, 175.401, 185.02, 185.05, 185.09, 185.10, 185.221, 185.23, 185.35, 185.37, and 185.50, F.S., relating to municipal firefighters' and police officers' pension or retirement plans and retiree health insurance subsidies; transferring certain powers, duties, and functions of the Department of Insurance respecting those plans and subsidies to the Department of Management Services and assigning them to the Division of Retirement; providing for transfer of related records, personnel, property, and funds; providing for continuation of certain existing rules; abolishing the Bureau of Municipal Police Officers' and Firefighters' Pension Funds of the Division of Benefits of the Department of Insurance; eliminating certain reports to the Department of Banking and Finance; specifying certain duties of the Department of Revenue; providing for disposition of premium tax moneys collected under chs. 175 and 185, F.S.; providing for annual appropriation of such moneys; providing for investment of such moneys by the Insurance Commissioner and Treasurer; providing for payment of certain administrative expenses of the Division of Retirement and the Department of Insurance; providing legislative intent that firefighters employed by special fire control districts should be entitled to the retirement benefits available to municipal firefighters under ch. 175, F.S.; providing for pension funds, retirement benefits, and retiree health insurance subsidies for firefighters employed by special fire control districts, which funds, benefits, and subsidies are subject to the same statutory requirements as pension funds and retirement benefits for municipal firefighters; clarifying that undistributed funds are annually transferred to support the firefighters' supplemental compensation program; providing for redistribution of certain surplus funds; conforming

the provisions of chs. 175 and 185, F.S., to this act; conforming cross-references, deleting obsolete provisions, and revising terminology to improve clarity; repealing s. 185.24, F.S., relating to annual appropriations for administrative expenses, which section is superseded by this act; amending s. 624.520, F.S., relating to preemption by the state of insurer premium taxes, to conform; amending s. 633.382, F.S., relating to the Firefighters Supplemental Compensation Trust Fund; providing for curing of deficits; providing for redistribution of certain funds; repealing ss. 80, 90, ch. 92-326, Laws of Florida, relating to enhanced retirement benefits for specified state employees; providing legislative intent with respect to other acts affecting contribution rates; providing for coordination of amendments to the same sections enacted in other bills; providing for retroactive effect of certain provisions; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; and Appropriations.

By the Committee on Natural Resources and Conservation—

SB 44—A bill to be entitled An act relating to the Nongame Wildlife Advisory Council; reviving and readopting s. 372.992, F.S.; notwithstanding its repeal under the Sundown Act; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Natural Resources and Conservation—

SB 46—A bill to be entitled An act relating to the Florida Panther Technical Advisory Council; reviving and readopting s. 372.673, F.S., notwithstanding its repeal under the Sundown Act; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Senator Brown-Waite—

SB 48—A bill to be entitled An act relating to drivers' licenses; creating s. 322.2616, F.S.; authorizing law enforcement officers to suspend the driver's license of a person under the age of 21 who drives a motor vehicle with any measurable blood or breath alcohol level or refuses to submit to a blood or breath alcohol test; providing for consent to be tested; providing procedures; providing for review; providing for appeal to the circuit court; providing an effective date.

—was referred to the Committees on Criminal Justice, Transportation and Appropriations.

By Senators Siegel, Brown-Waite and Forman—

SB 50—A bill to be entitled An act relating to driving or operating a vessel under the influence; amending s. 316.193, F.S.; lowering the blood alcohol level that constitutes an element of the offense of driving under the influence; amending s. 316.1934, F.S.; revising provisions relating to presumption of impairment to conform to the amendment of s. 316.193, F.S.; amending s. 322.2615, F.S.; revising provisions relating to suspension of a driver's license to conform to the amendment of s. 316.193, F.S.; amending s. 322.291, F.S.; requiring persons whose driver's license was suspended for driving with an unlawful blood alcohol level to present evidence of enrollment in an advance driver improvement course or substance abuse education course before his driving privilege may be reinstated; amending s. 322.64, F.S.; amending provisions relating to operating a commercial motor vehicle to conform to the amendment of s. 316.193, F.S.; amending s. 327.35, F.S.; lowering the blood alcohol level that constitutes an element of the offense of operating a vessel under the influence; amending s. 327.354, F.S.; revising provisions relating to presumption of impairment to conform to the amendment of s. 327.35, F.S.; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Casas—

SB 52—A bill to be entitled An act relating to tax credits; creating s. 220.187, F.S.; providing an exemption from the state corporate income tax for certain preventative cancer-screening procedures; providing eligibility and application requirements; providing for administration by the Department of Health and Rehabilitative Services; amending s. 220.02, F.S.; providing order for applying credits against the corporate income tax; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Health Care; and Appropriations.

By Senator Casas—

SB 54—A bill to be entitled An act relating to sheriffs and deputy sheriffs; amending s. 112.531, F.S.; including a deputy sheriff within the definition of the term "law enforcement officer", and including a sheriff within the definition of the term "employing agency," for purposes of pt. VI, ch. 112, F.S., relating to the rights and privileges of law enforcement officers and correctional officers with respect to their employers and others; granting to a deputy sheriff the same rights while under investigation by the sheriff as are granted to certain other law enforcement officers while under investigation by their employers; permitting deputy sheriffs to bring civil suits for damages suffered during the performance of their official duties or for abridgement of their civil rights arising out of their performance of official duties; requiring notice of disciplinary actions to be taken against them; prohibiting retaliatory actions being taken against them for exercise of these rights; requiring sheriffs to establish systems for handling complaints made about deputy sheriffs; authorizing injunctive relief; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; and Appropriations.

By Senator Casas—

SB 56—A bill to be entitled An act relating to insurance benefits for certain law enforcement officers; amending s. 112.18, F.S., pertaining to special insurance provisions relative to firemen; replacing the term "firemen" with the term "firefighters"; authorizing municipalities, counties, port authorities, special tax districts, and fire control districts to negotiate disability and life insurance contract benefits for their law enforcement officers, as they do for their firefighters, based on a rebuttable presumption relating to tuberculosis, heart disease, and hypertension; clarifying provisions; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; and Appropriations.

By Senator Forman—

SB 58—A bill to be entitled An act relating to the public transit block grant program; amending s. 341.052, F.S.; authorizing the Department of Transportation to supplement funds distributed to transit providers under the section; providing an exemption relating to such supplements; providing an effective date.

—was referred to the Committees on Transportation and Appropriations.

By Senator Forman—

SB 60—A bill to be entitled An act relating to hemophilia; creating s. 385.2062, F.S.; establishing a care and assistance program for hemophiliacs; authorizing the Department of Health and Rehabilitative Services to establish a hemophilia program to the extent that resources are available; establishing standards for participation; providing for services and counseling, an educational program, and contract for providing care; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By Senators Diaz-Balart, Gutman, Kurth, Forman, Casas, Childers, Siegel, Jennings, Dyer, Turner, Weinstein, Silver, Johnson, Hargrett and Brown-Waite—

SB 62—A bill to be entitled An act relating to law enforcement officers; amending s. 112.531, F.S.; including deputy sheriffs within the term “law enforcement officer” for purpose of law relating to rights of law enforcement officers; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; and Appropriations.

By Senator Wexler—

SB 64—A bill to be entitled An act relating to public defenders; amending s. 27.53, F.S.; providing for notice to boards of county commissioners of public defender’s motion to appoint other counsel in conflict cases; providing for appointment of another public defender in capital cases; providing for furnishing this person with an office, utilities, and travel funds; providing an effective date.

—was referred to the Committees on Criminal Justice, Community Affairs and Appropriations.

By Senator Wexler—

SB 66—A bill to be entitled An act relating to firearms; amending s. 790.001, F.S.; revising the definition of the term “firearm”; providing that antique firearms are not included in the meaning of “firearm” unless used in the commission of a crime; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Hargrett—

SB 68—A bill to be entitled An act relating to workers’ compensation; amending s. 440.02, F.S.; excluding from the definition of “accident” diseases with certain prejudicial manifestations; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Wexler—

SB 70—A bill to be entitled An act relating to suits against persons who contact public entities or speak out on public issues; providing, under certain circumstances, civil immunity for a person who communicates a complaint or information to a public entity regarding a matter of concern to that entity, or who expresses an opinion or belief concerning a public issue that affects the person; providing for recovery of costs and attorney’s fees by a prevailing defendant in a suit for damages under these circumstances; providing that the public entity or the Attorney General may intervene in and defend against any suit for damages arising out of the communication made to the public entity; providing for recovery of the costs and attorney’s fees incurred by the public entity or Attorney General in establishing the defense; providing that a prevailing plaintiff is entitled to recover costs and reasonable attorney’s fees from the public entity or Attorney General; providing an effective date.

—was referred to the Committees on Judiciary; Executive Business, Ethics and Elections; and Appropriations.

By Senator Kirkpatrick—

SB 72—A bill to be entitled An act relating to disposition of dead bodies; amending s. 245.16, F.S.; providing exceptions to the application of ch. 245, F.S., regulating the disposition of dead bodies or parts thereof; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Jenne—

SB 74—A bill to be entitled An act relating to theft, robbery, and related crimes; creating s. 812.131, F.S.; providing definitions; prohibiting home-invasion robbery; providing a penalty; providing for the application of the section with respect to certain other provisions of law; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Grant—

SB 76—A bill to be entitled An act relating to elementary and secondary school teaching certificates; amending s. 231.17, F.S.; revising the minimum requirements for obtaining teaching certificates; eliminating the portion of written examinations that require a person to demonstrate mastery of the ability to compute; specifying that applicants for teaching certificates are not required to take the mathematics subtest of the College Level Academic Skills Test or of any similar test; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Dudley—

SJR 78—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution, relating to municipal taxing authority.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Rules and Calendar.

By Senator Dudley—

SB 80—A bill to be entitled An act relating to real property transfer taxes; creating s. 200.46, F.S.; prescribing millage limits on levies by units of local government that receive revenues from the local option real property transfer tax; creating s. 201.015, F.S.; authorizing counties to levy a local option real property transfer tax; prescribing requirements for the ordinance imposing the tax; providing for its approval by the county governing authority; prescribing a maximum rate; providing for sharing of revenues with municipalities; prescribing purposes for which the revenues may be used; amending s. 201.15, F.S.; providing that local option real property transfer taxes are not subject to the distribution formula applicable to excise taxes on documents; providing an effective date.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Dudley—

SB 82—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; providing standards for determining substantial completion of an improvement to real personal property; creating s. 192.039, F.S.; providing for assessment and taxation of certain real property on a partial-year assessment roll; creating s. 192.044, F.S.; exempting tangible personal property from partial-year assessment; providing for partial-year tangible personal property to take effect upon certain findings; providing for assessment and taxation of certain tangible personal property on a partial-year assessment roll; providing for the assessment of certain railroad property for a partial year; amending s. 192.042, F.S.; providing for the day of assessment; providing for reimbursement of tax collectors for preparation of the initial partial-year assessment rolls; amending s. 193.052, F.S.; providing for partial-year tax returns; amending s. 193.062, F.S.; providing a date for filing of returns; amending s. 193.114, F.S.; providing for preparation of partial-year rolls; amending s. 195.027, F.S.; requiring partial-year returns by agency rule; amending s. 196.011, F.S.; providing a requirement for application for exemption for property listed on a partial-year assessment roll; amending s. 197.3635, F.S.; specifying information to be included on notice for partial-year taxes and assessments; creating s. 200.0701, F.S.; requiring notice of partial-year assessment; requiring inclusion of partial-year property on 1994

and 1995 rolls; amending s. 212.08, F.S.; correcting a cross-reference; providing a conditional effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Senators Siegel and Brown-Waite—

SB 84—A bill to be entitled An act relating to the municipal public service tax; amending s. 166.231, F.S.; authorizing municipalities to exempt the purchase of metered or bottled gas or fuel oil for agricultural purposes from the tax; providing an effective date.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

By Senator Brown-Waite—

SB 86—A bill to be entitled An act relating to criminal offenses; amending s. 316.193, F.S.; providing for notice to the defendant in certain offenses involving driving under the influence that the offender's motor vehicle may be forfeited; creating s. 316.1939, F.S.; providing for seizure and forfeiture of vehicles for certain offenses involving driving under the influence; amending s. 327.35, F.S.; providing for seizure and forfeiture of vessels for certain offenses involving operation of a vessel while under the influence; providing for notice; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Dudley—

SJR 88—A joint resolution proposing an amendment to Section 2, Article VII of the State Constitution, relating to taxation of real property.

—was referred to the Committees on Finance, Taxation and Claims; and Rules and Calendar.

By Senators Weinstein and Silver—

SB 90—A bill to be entitled An act relating to vehicular accidents that result in death or personal injury; amending s. 316.027, F.S.; increasing the penalty imposed on a driver who fails to stop and remain at the scene of such accident if the accident results in a death; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Burt—

SB 92—A bill to be entitled An act relating to investment of public funds; amending ss. 125.31, 166.261, 218.345, 219.075, 236.24, F.S.; authorizing certain additional investments of surplus public funds by certain governmental entities; providing an effective date.

—was referred to the Committees on Governmental Operations; and Finance, Taxation and Claims.

By Senator Silver—

SB 94—A bill to be entitled An act relating to universal access to health care; providing legislative intent; providing definitions; creating the Florida Universal Health Access Plan; establishing the Florida Universal Health Access and Cost Containment Commission; providing commission responsibilities; providing for the appointment and responsibilities of an executive director; providing for implementation and administration of the plan; creating the Florida Universal Health Access Trust Fund; establishing Florida Universal Health Access Trust Fund accounts; establishing a Health Professional Education and Training Fund; providing eligibility for health benefits under the plan; providing for covered and noncovered health services; providing access to participating providers; providing for reimbursement; providing for revenues;

instructing the Agency for Health Care Administration to seek waivers; providing reporting requirements; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Commerce; Finance, Taxation and Claims; and Appropriations.

By Senator Bankhead—

SB 96—A bill to be entitled An act relating to the relief of certain members of the Florida National Guard; providing an appropriation to compensate them for property damage to their vehicles while they were on military duty during Hurricane Andrew; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Gutman—

SB 98—A bill to be entitled An act relating to emergency medical treatment; reenacting s. 401.291, F.S., as amended, relating to the use of automatic external defibrillators, authorization for such use, and reports on such authorization; reenacting and amending s. 401.425, F.S., as amended, relating to duties of emergency medical review committees, limitation on liability, and confidentiality of proceedings and records; reenacting and amending s. 401.445, F.S., as amended, relating to emergency examination and treatment of incapacitated persons; correcting terminology; providing intent; providing for retroactive effect; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Siegel—

SB 100—A bill to be entitled An act relating to sentencing; amending s. 775.087, F.S.; increasing the mandatory minimum sentence for persons convicted of possessing a firearm or destructive device during the commission of certain felonies; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Siegel—

SB 102—A bill to be entitled An act relating to sexually transmissible diseases; amending s. 384.34, F.S.; increasing the penalty for certain unlawful acts involving sexually transmissible diseases when the disease is human immune deficiency virus infection; reenacting s. 384.24, F.S., which enumerates unlawful acts that are subject to penalties; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Brown-Waite—

SB 104—A bill to be entitled An act relating to ad valorem taxes; amending s. 196.031, F.S.; providing for allocating homestead tax exemption on real property subject to a dissolution of marriage proceeding; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By Senator Siegel—

SB 106—A bill to be entitled An act relating to crimes against property; amending ss. 806.13, 812.014, F.S.; providing that criminal mischief or theft committed at a posted construction site which results in damage or loss valued at a specified amount or more is a felony of the third degree, punishable by a mandatory minimum term of imprisonment; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Siegel—

SB 108—A bill to be entitled An act relating to art in state buildings; repealing s. 255.043, F.S., which provides that an amount of up to \$100,000 be included in each appropriation for construction of a state building to be used to acquire art for public display in the building; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By Senator Beard—

SB 110—A bill to be entitled An act relating to delinquency; amending s. 39.045, F.S.; authorizing law enforcement agencies to release the names of certain offenders; creating s. 232.51, F.S.; prescribing a period of curfew for certain students and prescribing duties of law enforcement officers with respect to students found in violation of curfew; providing an effective date.

—was referred to the Committees on Criminal Justice; Health and Rehabilitative Services; and Appropriations.

By Senator Foley—

SB 112—A bill to be entitled An act relating to civil immunity; creating the Florida Volunteer Immunity Act; providing immunity from civil liability for certain volunteers; providing exceptions; providing for application; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Gutman—

SB 114—A bill to be entitled An act relating to the Administrative Procedures Act; amending s. 120.59, F.S.; deleting an exclusion of agencies from provisions relating to recovery of certain costs and fees; deleting a definition; amending s. 120.68, F.S.; entitling prevailing parties in judicial review of final agency actions to recover costs and reasonable attorney fees; requires such costs and fees to be paid from an agency's budget under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary, Governmental Operations and Appropriations.

By Senators Grant and Brown-Waite—

SB 116—A bill to be entitled An act relating to public facilities; amending s. 287.055, F.S.; excluding certain developers from the definition of the term "agency," as used in the Consultants' Competitive Negotiation Act; amending s. 380.06, F.S.; exempting the construction or design of certain public facilities from competitive bidding or negotiation requirements in certain circumstances; providing an effective date.

—was referred to the Committees on Governmental Operations and Community Affairs.

By Senator Grant—

SB 118—A bill to be entitled An act relating to education finance; providing for calculation of the Florida Education Finance Program; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Grant—

SJR 120—A joint resolution proposing the creation of Section 19 of Article VII of the State Constitution relating to exemptions from state taxes and fees.

—was referred to the Committees on Finance, Taxation and Claims; and Rules and Calendar.

By Senator Meadows—

SB 122—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "creditable service"; creating s. 121.1115, F.S.; providing for the purchase, by certain members of the system, of creditable service for periods of employment as public school teachers in other states, subject to certain limitations and upon meeting certain conditions; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Foley—

SB 124—A bill to be entitled An act relating to law enforcement, correctional, and correctional probation officers; amending s. 110.123, F.S., pertaining to the state group insurance program, to require that a state agency which employs a correctional probation officer who is killed in the line of duty, under certain conditions, to pay the entire premium under the State Employees Group Health Self-Insurance Plan for the officer's spouse and children for certain time periods, in the same manner as present law provides for law enforcement officers and correctional officers; amending s. 112.19, F.S., pertaining to death benefits for such officers; expanding the scope of the section by making part-time and auxiliary law enforcement, correctional, and correctional probation officers eligible for such benefits; amending s. 112.193, F.S., revising the authorization pertaining to the award of commemorative service awards upon the death or retirement of a law enforcement officer or a correctional officer; expanding the scope of the authority to allow such awards to be given with respect to correctional probation officers upon an officer's retirement or death; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Myers—

SB 126—A bill to be entitled An act relating to ad valorem tax administration; creating s. 193.017, F.S.; requiring certain mortgagees to file with the property appraiser a report containing specified appraisal information prior to recording a mortgage secured by real property located in this state; authorizing the property appraiser to consider such information in arriving at just valuation of the property; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; and Judiciary.

By Senator Myers—

SB 128—A bill to be entitled An act relating to educational finance; amending s. 236.25, F.S.; removing provisions which authorize the Legislature to prescribe a maximum amount of nonvoted current operating discretionary millage that school boards may levy and authorizing school boards to determine such millage, within specified limits; providing an effective date.

—was referred to the Committees on Education; Finance, Taxation and Claims; and Appropriations.

By Senator Myers—

SB 130—A bill to be entitled An act relating to elections; amending s. 99.092, F.S.; requiring candidate qualifying fees to be paid by cashier's check purchased from campaign account funds; amending s. 106.11, F.S., relating to expenditures from campaign accounts, to conform; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Myers—

SB 132—A bill to be entitled An act relating to medical practice; amending s. 455.2141, F.S.; modifying a continuing education requirement; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By Senator Myers—

SB 134—A bill to be entitled An act relating to health care providers; amending s. 455.238, F.S.; defining the additional amount of charges that constitutes a prohibited markup for services rendered by another; deleting authority to charge a handling fee; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Diaz-Balart—

SB 136—A bill to be entitled An act relating to fuel tax administration; amending s. 207.004, F.S.; providing for issuing a temporary fuel use permit to a motor carrier for a commercial motor vehicle; repealing the authority to issue trip permits, emergency permits, and annual permits; amending s. 207.005, F.S.; establishing due dates for filing fuel tax returns; establishing delinquency dates; providing a limitation on the application of fuel tax credits; amending s. 207.007, F.S.; requiring fuel tax returns to be filed for intrastate commercial motor vehicles; providing delinquency fees; conforming this section to amendments made by this act; amending the amount of interest that may be assessed on delinquent fuel taxes; amending s. 207.0281, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to enter into a cooperative reciprocal agreement with other states, such as the International Fuel Tax Agreement; providing that a reciprocal agreement entered into under the section supersedes other requirements of ch. 207, F.S., for commercial motor vehicles; repealing s. 207.029, F.S., relating to requiring proof of liability insurance on commercial motor vehicles; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Diaz-Balart, Kurth, Kirkpatrick, Thomas, Casas, Grogan, Holzendorf, Silver, Meadows, Myers, Bankhead, Wexler, Forman, Boczar, Grant, Beard, Jones, Hargrett, Johnson, Brown-Waite, Childers, Crist, Foley, Dudley and Turner—

SB 138—A bill to be entitled An act relating to law enforcement; authorizing the award of a Medal of Valor to law enforcement and correctional officers; providing criteria; providing an effective date.

—was referred to the Committees on Governmental Operations; and Personnel, Retirement and Collective Bargaining.

By Senator Dudley—

SB 140—A bill to be entitled An act relating to incorporation of municipalities; amending s. 165.061, F.S.; exempting certain areas proposed for incorporation from the requirement that an area be a specified distance or otherwise separated from an existing municipality; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Dudley—

SJR 142—A joint resolution proposing an amendment to Section 4 of Article X of the State Constitution, relating to homestead property, to remove the prohibition against the devise of a homestead.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By the Committee on Health Care—

SB 144—A bill to be entitled An act relating to home health services; reassigning certain oversight functions from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 400.461, F.S.; amending the short title and purpose of the "Home Health Services Act"; deleting the statement that the act does not supersede federal law; amending s. 400.462, F.S.; amending the definitions of terms, including the term "home health services"; amending s. 400.464, F.S.; revising provisions for licensure of home health agencies; providing exemptions; deleting certain provisions relating to providers of infusion therapy; providing unlawful acts; providing penalties; amending s. 400.471, F.S.; revising requirements for licensure application; providing a fee; requiring proof of financial ability and providing for demonstration of financial ability; requiring a minimum amount of liability insurance; requiring display of a license; providing restrictions; providing for a provisional license and a temporary permit when certain legal actions are pending; correcting a cross-reference; amending s. 400.474, F.S.; adding certain grounds for administrative action; transferring, renumbering, and amending s. 400.478, F.S.; amending provisions for a certificate of registration for certain exempt providers; amending provisions for the regulation of registrants; transferring, renumbering, and amending s. 400.481, F.S.; revising provisions authorizing injunctions; amending s. 400.484, F.S.; revising provisions relating to the right of inspection; adding clarifying language; amending s. 400.487, F.S.; amending provisions relating to establishing and reviewing plans of treatment; deleting the requirement of prior physician notification that a patient has requested a copy of his plan of treatment; amending s. 400.491, F.S.; amending provisions relating to clinical records; amending s. 400.495, F.S.; requiring the Agency for Health Care Administration to adopt rules regarding notification to home health agencies and nurse registries of a change in the toll-free telephone number of the central-abuse registry and rules that provide for due process for home health agency personnel and nurse registry personnel who are reported to the registry; amending s. 400.497, F.S.; amending provisions relating to rules establishing minimum standards for home health agency personnel; deleting transferred provisions relating to screening such personnel; amending s. 400.506, F.S.; amending provisions for the licensure of nurse registries; raising the maximum nurse registry licensure fee; providing for temporary licenses, rather than conditional licenses, in specified circumstances; providing that certain acts constitute the unauthorized practice of medicine or violate the Nurse Practice Act; providing penalties; conforming cross-references; creating s. 400.512, F.S.; providing for screening certain personnel; requiring an affidavit relating to personnel qualifications; providing for assigning responsibility for paying the costs of specified screening procedures; requiring notice of noncompliance with standards of moral character; providing for a hearing for certain personnel who are disqualified from employment; restricting the uses of certain personnel information; providing an exemption from the public records law; providing for review of the exemption under the Open Government Sunset Review Act; providing violations; providing penalties; creating s. 400.518, F.S.; prohibiting a physician from referring patients to a home health agency in which he has a financial interest; prohibiting hospitals and ambulatory surgical centers from encouraging referrals to a home health agency in which they have a financial interest; providing penalties; amending ss. 408.034, 408.036, F.S.; removing home health agencies from certificate-of-need requirements; correcting cross-references; repealing s. 400.467, F.S., relating to licensure; repealing s. 400.477, F.S., relating to license expiration and renewal; repealing s. 400.479, F.S., relating to the disposition of fees; repealing s. 400.501, F.S., relating to prohibited acts; repealing s. 408.032(10), F.S., relating to defining the term "home health agency" for purposes of certificate-of-need requirements; reviving and readopting ss. 400.461, 400.462, 400.464, 400.471, 400.474, 400.478, 400.481, 400.484, 400.487, 400.491, 400.494, 400.495, 400.497, 400.506, F.S.; providing an effective date.

—was referred to the Committees on Health Care; and Finance, Taxation and Claims.

By Senator Kirkpatrick—

SB 146—A bill to be entitled An act relating to state lands; amending s. 253.002, F.S.; providing for delegation of duties of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.025, F.S.; specifying procedures for acquisition of state lands; allowing state agencies other than the Division of State Lands to perform certain functions

that only the division currently may perform; amending confidentiality provisions relating to appraisals; expanding the types of costs for which the state may reimburse the owner of lands that the state proposes to acquire; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Governmental Operations.

By Senator Wexler—

SB 148—A bill to be entitled An act relating to assault and battery; amending s. 784.07, F.S.; adding juvenile detention staff and Control Release Authority officers to the listing of law enforcement officers against whom commission of assault or battery results in a 1-degree upward reclassification of the offense; providing an effective date.

—was referred to the Committees on Criminal Justice; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Senator Wexler—

SB 150—A bill to be entitled An act relating to fire dogs; amending s. 843.19, F.S.; prohibiting injuring or killing a fire dog under specified circumstances, for which criminal penalties are provided by law; providing a definition; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Health Care—

SB 152—A bill to be entitled An act relating to mobile home parks, recreational vehicle parks, and recreational camps; revising ss. 513.01-513.151, F.S., relating to the regulation and permitting of mobile home parks and recreational vehicle parks, and extending the applicability of certain of those provisions, as revised, to recreational camps; providing definitions; providing for enforcement of public health laws with respect to mobile home and recreational vehicle parks and recreational camps and exempting such parks from regulation as public lodging establishments; providing for applicability of recreational vehicle park provisions to certain mobile home parks; providing for permitting of private parks and camps; providing for issuance of a permit upon transfer of a park or camp; providing for application for and issuance of permits; providing for permit fees and providing for collection and disposition of such fees; providing rulemaking authority to the Department of Health and Rehabilitative Services for purposes of the chapter; providing for state preemption of sanitary standards; providing for inspection of such parks and camps; providing for prosecution of operators who commit specified violations; prescribing penalties for such violations; providing for revocation and suspension of permits; authorizing administrative fines and providing for disposition of such fines; providing for enforcement of chapter and rules adopted under the chapter by issuance of citations by department personnel; providing for disposition of fines imposed by citation; regulating the disposal of sewage from mobile homes and recreational vehicles and at recreational campsites; providing penalties for operating without a permit; regulating posting, advertising, and charging of site rates and providing penalties for violations related thereto; requiring operators to maintain guest registers and current copies of the laws; prescribing liability of operators for property of guests; providing for disposition of unclaimed property left by guests of recreational vehicle parks; providing for park rules and regulations; authorizing refusal of services for specified conduct on the premises of a park; prescribing penalties for obtaining accommodations in a park with intent to defraud; providing penalties for theft of property from such a park and providing for detention and arrest of violators; providing penalties for resisting such an arrest; providing for eviction from such a park and specifying grounds therefor; prescribing an operator's rights and remedies against transient guests in such a park; repealing s. 15, ch. 83-321, Laws of Florida, which provides for the expiration of specified sections of ch. 513, F.S., effective October 1, 1993, pursuant to Regulatory Sunset Review; amending s. 381.006, F.S., pertaining to environmental health, to conform to the expansion of the scope of ch. 513, F.S., to include recreational camps; amending s. 509.502, F.S., pertaining to definitions of terms used in ch. 509, F.S., to exclude recreational camps from regulation as campgrounds under that chapter; amending s. 633.022, F.S., pertaining to uniform firesafety standards, to

authorize the Department of Insurance to establish uniform firesafety standards for recreational camps; providing an effective date.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health Care—

SB 154—A bill to be entitled An act relating to prescribed pediatric extended care centers; amending part II of chapter 391, F.S.; modifying definitions; providing responsibilities of the Agency for Health Care Administration; deleting references to the Department of Health and Rehabilitative Services; prescribing fees; providing for deposit of fees and fines; correcting and updating references relating to rules and standards; requiring adoption of rules relating to nonresidency and provision of services; saving part II of chapter 391, F.S., from Sunset repeal; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Health Care—

SB 156—A bill to be entitled An act relating to clinical laboratories; amending s. 483.021, F.S.; providing legislative intent; amending s. 483.031, F.S.; providing for application of part I, ch. 483, F.S.; amending s. 483.041, F.S.; providing definitions; amending s. 483.051, F.S.; providing powers and duties of the Agency for Health Care Administration in regulating clinical laboratories; requiring the agency to prescribe certain standards; amending s. 483.061, F.S.; requiring the agency to inspect clinical laboratories; authorizing inspections by private accrediting organizations; amending s. 483.091, F.S.; prohibiting the operation of certain clinical laboratories without a license issued by the agency; requiring certain out-of-state laboratories to be licensed by the agency; amending s. 483.101, F.S.; providing application requirements for licensure of clinical laboratories; creating s. 483.106, F.S.; providing requirements for clinical laboratories that perform certain tests under a certificate of exemption; amending s. 483.111, F.S.; providing certain limitations on licensure; amending s. 483.172, F.S.; providing license fees; amending s. 483.181, F.S.; providing requirements for reporting and accepting the results of clinical laboratory tests; authorizing the performance of limited health screening tests at the request of an individual; creating s. 483.186, F.S.; providing requirements for clinical laboratories in advertising and promotional materials; providing penalties; amending s. 483.191, F.S.; providing requirements for branch offices and collection stations operated by clinical laboratories; amending s. 483.201, F.S.; providing grounds under which the agency may take disciplinary action against clinical laboratories; amending ss. 483.221, 483.23, F.S.; providing penalties; amending s. 483.245, F.S.; prohibiting rebates for referring patients to a clinical laboratory; providing penalties; amending s. 483.25, F.S.; providing for injunctions; repealing s. 30, ch. 83-276, Laws of Florida; abrogating the repeal of part I, ch. 483, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By the Committee on Health Care—

SB 158—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; providing legislative intent; providing definitions; specifying duties and powers of the Department of Health and Rehabilitative Services; providing conditions for the installation of onsite sewage treatment and disposal systems; renaming the Advisory Review Variance Board as the Variance Review and Advisory Committee; providing for a Research Review and Advisory Committee; specifying membership and duties; providing enforcement authority for right of entry and citations; providing a fine; providing a criminal penalty; creating s. 381.00655, F.S.; providing requirements for connection to a central sewerage system; amending s. 381.0066, F.S.; modifying fee ranges; specifying fees for certain permits; amending ss. 381.006, 381.0064, 381.0067, 489.551, 489.553, F.S.; incorporating conforming changes; repealing s. 46, ch. 83-310, Laws of Florida; abrogating the repeal of ss. 381.0065, 381.0066, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health Care; and Health and Rehabilitative Services.

By the Committee on Health Care—

SB 160—A bill to be entitled An act relating to multiphasic health testing centers; amending s. 483.28, F.S.; revising the short title provision; amending s. 483.282, F.S.; revising policy and purpose; amending s. 483.285, F.S.; revising applicability of multiphasic health testing center licensure requirements; providing exemptions; amending s. 483.288, F.S.; revising applicable definitions; amending s. 483.291, F.S.; providing powers and duties of the Agency for Health Care Administration; requiring the agency to adopt rules; providing fees; amending s. 483.294, F.S.; requiring the Agency for Health Care Administration to conduct inspections of multiphasic health testing centers; amending s. 483.30, F.S.; providing requirements for licensing multiphasic health testing centers; prohibiting the operation of a multiphasic health testing center without a license; amending s. 483.302, F.S.; requiring applications for licensure of multiphasic health testing centers to be made to the Agency for Health Care Administration; amending s. 483.305, F.S.; revising requirements for advertisement of centers; amending s. 483.308, F.S.; revising requirements for a medical director; providing for establishing standards for reporting test results; amending s. 483.311, F.S.; revising requirements for display of licenses; amending s. 483.314, F.S.; requiring a testing center to forward a specimen to a clinical laboratory within a specified time after the specimen is collected; limiting the types of specimens that can be collected by testing centers; requiring centers that offer certain types of testing to comply with specified statutes; amending s. 483.317, F.S.; revising a ground for disciplinary action to conform; amending s. 483.32, F.S.; revising provisions relating to administrative penalties; amending s. 483.322, F.S.; revising violations; amending s. 483.325, F.S.; revising criminal penalties; amending s. 483.328, F.S.; revising provisions for injunctions; repealing s. 30, ch. 83-276, Laws of Florida; abrogating the repeal of part II of ch. 483, F.S., relating to multiphasic health testing centers, notwithstanding the repeal of that part scheduled under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Health Care—

SB 162—A bill to be entitled An act relating to hospices; creating s. 400.6005, F.S.; providing legislative intent; amending s. 400.601, F.S.; providing definitions; amending s. 400.602, F.S.; restricting use of the word "hospice"; prohibiting hospices from using substantially similar names; requiring 60 days notice to agency of name change; requiring certain inpatient hospice care components to obtain a certificate of need and meet institutional standards; providing certain services are not a hospice program; providing a penalty; amending s. 400.605, F.S.; providing licensure requirements; prescribing fees; specifying standards; directing the agency to develop criteria for determination of when certain diagnoses are terminal illnesses for purposes of hospice care under this part; directing development of physical plant requirements for residential units and standards for care provided in such a setting; amending s. 400.6055, F.S.; providing for agency inspections; transferring, renumbering, and amending s. 400.606, F.S.; prescribing geographic area for hospice services; providing clarifying language; revising cross-references; amending s. 400.607, F.S.; increasing administrative fine cap; adding reckless conduct as a ground for agency action; deleting requirement that outpatient hospice care be available within 12 months of licensure; providing for civil actions, penalties, and injunctions; creating s. 400.6085, F.S.; providing general requirements for contracting for hospice services; amending s. 400.609, F.S.; providing components of hospice services; clarifying scope of home care; deleting outpatient care as a component of hospice; creating s. 400.6095, F.S.; providing for patient admission, assessment, plan of care; amending s. 400.610, F.S.; providing hospice administration and management; specifying responsibility of board of directors or governing body; requiring each hospice to develop and implement a quality assurance and utilization review plan; creating s. 400.6105, F.S.; providing for staffing and personnel; amending s. 400.611, F.S.; providing for confidentiality of patient records; repealing s. 400.6015, F.S., which relates to exemptions from hospice laws; repealing s. 400.603, F.S., which relates to certificates of need; repealing s. 400.608, F.S., which relates to general requirements for hospice programs; repealing s. 400.613, F.S., which relates to patient record information; repealing s. 400.614, F.S., which provides for certain prohibited acts and provides a criminal penalty; reviving and readopting part V, ch. 400, F.S., which regulates hospices,

notwithstanding repeal scheduled under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health Care; and Health and Rehabilitative Services.

By the Committee on Health Care—

SB 164—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 400.011, F.S.; providing the purpose of part I, ch. 400, F.S.; amending s. 400.021, F.S.; providing definitions; providing for regulation and licensing of nursing home facilities by the Agency for Health Care Administration; amending s. 400.022, F.S., relating to residents' rights; conforming language to changes made by the act; providing requirements for statements of residents' rights; amending s. 400.023, F.S.; providing for civil enforcement of residents' rights; amending s. 400.051, F.S.; specifying facilities that are exempt from regulation under part I, ch. 400, F.S.; amending s. 400.062, F.S.; providing license fees; redesignating the Nursing Homes and Related Facilities Licensure Trust Fund as the Health Care Trust Fund; amending s. 400.0625, F.S.; providing minimum standards for clinical laboratory test results and diagnostic X-ray results; amending s. 400.063, F.S., relating to the Resident Protection Trust Fund; conforming language to changes made by the act; amending s. 400.071, F.S.; providing licensure requirements for nursing home facilities; amending s. 400.102, F.S.; providing circumstances under which the Agency for Health Care Administration may take disciplinary action against a licensee; amending s. 400.111, F.S.; providing requirements for license renewal; amending s. 400.121, F.S.; providing for fines and other administrative penalties for certain violations; amending s. 400.125, F.S.; authorizing the agency to institute injunction proceedings; amending s. 400.126, F.S.; providing for the appointment of a receiver; increasing certain limitations on expenditures by a receiver; amending s. 400.141, F.S.; providing requirements for administering nursing home facilities; amending s. 400.145, F.S.; specifying persons who may be furnished copies of the record of care and treatment of a nursing home facility resident; providing authority for ombudsman to have access to a sample of residents records; providing restrictions; amending s. 400.151, F.S.; providing contract requirements for residents of nursing home facilities; creating s. 400.155, F.S.; providing an appeal process if a nursing home facility discharges or transfers a resident; amending s. 400.162, F.S.; providing for the management and disposal of the property of nursing home facility residents; providing for certain relatives of a resident to act as guardian, trustee, or conservator for a resident; amending s. 400.165, F.S.; providing requirements for itemized billing statements; deleting a requirement that itemized bills be given to a resident's physician; amending s. 400.17, F.S.; prohibiting bribes, kickbacks, and certain solicitations on behalf of a nursing home facility; amending s. 400.176, F.S.; providing a penalty that may be imposed for paying or receiving certain rebates; amending s. 400.179, F.S.; providing requirements for the sale or transfer of ownership of a nursing home facility; providing a penalty; amending s. 400.18, F.S.; providing requirements for closing a nursing home facility; amending s. 400.19, F.S.; authorizing the Agency for Health Care Administration to enter and inspect a nursing home facility or hospital; amending s. 400.191, F.S.; providing requirements for distributing and posting inspection reports for nursing home facilities; amending s. 400.20, F.S.; requiring a nursing home facility to be operated by a licensed nursing home administrator; amending s. 400.211, F.S.; providing additional certification requirements for persons employed as nursing assistants; amending s. 400.23, F.S.; requiring fire and life safety criteria in accordance with rules and standards adopted by the State Fire Marshal; providing for evaluating and rating nursing home facilities; creating the Nursing Home Facility Advisory Committee; providing membership of the committee and duties; revising rating criteria; deleting provisions authorizing inspections and reviews to be delegated to counties or municipalities; amending s. 400.241, F.S.; prohibiting operation of a nursing home facility without a license; providing penalties; amending s. 400.25, F.S.; authorizing the agency to conduct certain educational programs; amending s. 400.29, F.S.; requiring the agency to publish an annual directory of nursing home facilities; transferring, renumbering, and amending s. 400.3221, F.S.; authorizing nursing home facilities to maintain emergency medication kits; transferring, renumbering, and amending s. 400.33, F.S.; authorizing nursing home facilities to establish geriatric outpatient clinics under specified circumstances; creating s. 400.801, F.S.; requiring homes for special services to be licensed by the agency; providing licensure requirements; providing penalties; creating s. 400.805, F.S.; requiring

transitional living facilities to be licensed by the agency; requiring the Division of Vocational Rehabilitation of the Department of Labor and Employment Security to adopt rules governing the services provided by transitional living facilities; providing penalties; amending s. 413.614, F.S.; conforming language to changes made by the act; repealing s. 400.041, F.S., relating to categories for licensing nursing facilities; repealing s. 400.045, F.S., relating to transitional living facilities for spinal-cord-injured persons and head-injured persons; repealing ss. 400.331, 400.332, F.S., relating to the geriatric outpatient nurse clinic; reviving and readopting portions of part I, ch. 400, F.S., and s. 413.614, F.S., notwithstanding repeals scheduled under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; and Appropriations.

By the Committee on Health Care—

SB 166—A bill to be entitled An act relating to migrant farmworker housing; amending s. 381.008, F.S.; providing definitions; amending s. 381.0082, F.S.; specifying additional elements to be included in permit applications; amending s. 381.0084, F.S.; specifying application fees for migrant labor camp and residential migrant housing; amending s. 381.0086, F.S.; authorizing a variance process for migrant farmworker housing standards; amending s. 381.0087, F.S.; providing for enforcement; amending s. 381.0088, F.S.; authorizing right of entry for inspection of facilities; creating s. 381.0089, F.S.; providing for right of access to migrant labor camps and residential migrant housing; authorizing civil action; providing civil liability; providing rules; creating s. 381.00893, F.S.; providing for an administrative complaint process; creating s. 381.00895, F.S.; prohibiting discriminatory conduct; amending s. 509.013, F.S.; providing an exclusion from regulation as a public lodging establishment; repealing s. 10 of ch. 83-249, Laws of Florida; abrogating the repeal of ss. 381.008-381.0088, F.S., relating to migrant farmworker housing, notwithstanding the repeal of those sections scheduled under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health Care; Agriculture; and Health and Rehabilitative Services.

By Senator Siegel—

SB 168—A bill to be entitled An act relating to substance abuse punishment; amending s. 893.13, F.S.; adding certain Schedule I controlled substances to the minimum mandatory sentence provisions prohibiting sale, purchase, manufacture, delivery, or possession with intent to sell, purchase, manufacture, or deliver a controlled substance within 1,000 feet of certain schools; authorizing probation alternatives for persons convicted of second and third degree felonies for certain drug crimes; amending s. 921.187, F.S.; authorizing sentencing alternatives for persons convicted of second and third degree felonies for certain drug crimes; amending s. 948.001, F.S.; providing a definition; creating s. 948.034, F.S.; providing for placement on probation with set conditions; authorizing residential supervision in a community residential drug punishment center in certain circumstances; providing penalties for violation of probation; providing for reports; providing for the Department of Corrections to adopt rules; amending s. 948.04, F.S.; exempting drug probationers from time limit; providing for fines; providing an alternative for persons unable to pay fines; providing an effective date.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By the Committee on Corrections, Probation and Parole—

SB 170—A bill to be entitled An act relating to the Parole Commission; repealing ss. 16 and 17, ch. 89-531, Laws of Florida, as amended; abrogating the repeal of s. 20.32 and ch. 947, F.S.; providing an effective date.

—was referred to the Committee on Corrections, Probation and Parole.

By Senator Forman—

SB 172—A bill to be entitled An act relating to animals; amending s. 767.11, F.S.; redefining the term “severe injury” for the purpose of laws relating to damage by dogs; amending ss. 767.12 and 767.13, F.S.; revising procedures for classifying dogs as dangerous; providing for appeal with respect to the classification of a dog as dangerous or to the confiscation of a dog; providing an exception to the requirement to keep a dangerous dog muzzled and on a leash; prohibiting the destruction of a dog while an appeal is pending; amending s. 828.058, F.S.; restricting method of euthanasia of dogs and cats by public or private agencies or animal shelters; providing an exception in emergency situations; restricting authority of lay persons who may perform such euthanasia; requiring a certification course; specifying curriculum; providing a penalty; amending s. 828.065, F.S.; restricting method of euthanasia of animals in pet shops; restricting authority of lay persons to perform such euthanasia; providing a penalty; amending s. 828.122, F.S.; deleting requirement that an animal be held pending disposition of certain charges; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Jennings—

SB 174—A bill to be entitled An act relating to state lotteries; amending s. 24.121, F.S.; revising provisions relating to the allocation of revenues and expenditure of funds in the Educational Enhancement Trust Fund; amending ss. 229.592 and 230.23, F.S.; correcting cross references; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Dantzler—

SB 176—A bill to be entitled An act relating to alcohol and other drug abuse; amending s. 893.13, F.S.; authorizing the court to provide an additional assessment for certain violations involving the abuse of alcohol; amending s. 893.16, F.S.; including alcohol along with drug abuse programs and providing for the use of the assessment; providing for a County Alcohol and Other Drug Abuse Trust Fund; providing for a Community Alcohol and Other Drug Abuse Services Grants and Donations Trust Fund; amending s. 893.165, F.S.; providing for county alcohol and other drug abuse treatment or education trust funds; conforming to the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Health and Rehabilitative Services.

By Senator Gutman—

SJR 178—A joint resolution proposing the creation of Section 19 of Article VII of the State Constitution relating to sales and use tax exemptions.

—was referred to the Committees on Finance, Taxation and Claims; and Rules and Calendar.

By Senator Dudley—

SB 180—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051, F.S.; authorizing the governing body of a city to purchase continued membership in the Special Risk Class of the system for the city's police chief, under certain conditions; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Community Affairs.

By Senator Kurth—

SB 182—A bill to be entitled An act relating to crime victim assistance; amending s. 960.07, F.S.; extending the period of time for filing claims of minors who are victims of sexual offenses and incest for crime victims' compensation; authorizing an extension for claims based on other crimes; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Burt—

SB 184—A bill to be entitled An act relating to campaign finance; amending s. 106.32, F.S.; making the transfer of moneys from the General Revenue Fund to the Election Campaign Financing Trust Fund dependent upon legislative appropriation; providing for distribution of such revenues in specified instances; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Appropriations.

By the Committee on Corrections, Probation and Parole—

SB 186—A bill to be entitled An act relating to settlement of suits involving executive branch agencies or officers; amending s. 45.062, F.S.; providing additional criteria for negotiated settlement of such suits; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; Governmental Operations; and Appropriations.

By Senator McKay—

SB 188—A bill to be entitled An act relating to lobbying; amending s. 11.062, F.S.; prohibiting departments of the executive branch, state universities, community colleges, and water management districts from using public funds to retain lobbyists to represent them before the legislative or executive branch; exempting full-time employees of these entities; prohibiting lobbyists from accepting compensation derived from public funds; providing penalties; authorizing complaints to be filed with and investigated by the Commission on Ethics; authorizing the commission to adopt rules; providing an effective date.

—was referred to the Committees on Governmental Operations; Executive Business, Ethics and Elections; Rules and Calendar; and Appropriations.

By Senator Kurth—

SB 190—A bill to be entitled An act relating to operating a vessel while intoxicated; amending s. 327.351, F.S.; providing that the offense of operating a vessel while intoxicated is a third-degree felony if such operation causes serious bodily injury; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Criminal Justice; and Appropriations.

By Senator Forman—

SB 192—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; specifying the form of license plates issued for for-hire vehicles; specifying that unexpired license plates remain valid until their scheduled expiration date; allowing the word "Lease" on license plates to be covered; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By the Committee on Commerce—

SB 194—A bill to be entitled An act relating to legal expense insurance; amending s. 642.015, F.S.; defining the term "gross written premiums" for purposes of legal expense insurance; amending s. 642.021, F.S.; revising requirements for obtaining a certificate of authority; creating s. 642.0261, F.S.; prescribing net worth requirements for applicants for a certificate of authority; creating s. 642.0262, F.S.; prescribing net worth requirements for maintenance of a certificate of authority; creating s. 642.0301, F.S.; prescribing fees; repealing s. 21, ch. 83-278, Laws of Florida, which section provided for the repeal of ch. 642, F.S., and its review pursuant to the Regulatory Sunset Act; reviving and readopting ss. 642.016, 642.022, 642.024, F.S., their repeal and review under the Regulatory Sunset Act notwithstanding; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By the Committee on Commerce—

SB 196—A bill to be entitled An act relating to mortgage guaranty insurance; repealing s. 12, ch. 83-281, Laws of Florida, which provides for the expiration of ch. 635, F.S., regulating such insurance, effective October 1, 1993; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 198—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; providing definitions; amending s. 634.031, F.S.; specifying conditions that require licensure; amending s. 634.041, F.S.; removing department authority to issue licenses under certain circumstances; requiring reserve deposits by companies with unearned premium reserves; providing for refunds of unearned premium; providing technical changes; amending s. 634.053, F.S.; authorizing the department to levy upon any of the assets of a motor vehicle service agreement company; amending s. 634.061, F.S.; deleting a requirement to refund license taxes; amending s. 634.081, F.S.; requiring revocation or suspension of the license of a motor vehicle service agreement company under certain conditions; authorizing departmental discretion to suspend the license of a company under certain conditions; amending s. 634.111, F.S.; requiring quarterly reports; amending s. 634.121, F.S.; providing for the department to charge administrative fees; removing provisions relating to refunds of unearned premiums; deleting dated provisions; amending s. 634.131, F.S.; removing requirements to file forms showing all service agreement premiums or assessments; deleting a penalty for neglecting to file annual statement in the form and time provided; amending s. 634.137, F.S.; requiring financial reports; providing penalties for not filing annual statements in the form and time provided; amending s. 634.181, F.S.; specifying additional grounds for compulsory denial, suspension, or revocation of license or appointment of salesmen; amending s. 634.241, F.S.; providing definition of "fronting company"; amending s. 634.301, F.S.; providing and deleting definitions relating to home warranty associations; amending s. 634.303, F.S.; specifying conditions that require licensure; amending s. 634.306, F.S.; requiring the disclosure of shareholder information on an application for licensure; amending s. 634.313, F.S.; providing for certain information in annual statements; amending s. 634.401, F.S.; providing definitions; amending s. 634.403, F.S.; specifying conditions that require licensure; amending s. 634.409, F.S.; providing additional grounds for suspension or revocation of licenses; amending s. 634.414, F.S.; providing requirements for service warranty forms or sales brochures; amending s. 634.415, F.S.; removing exemptions from premium tax for premiums and assessments received by insurers; prescribing regulations governing air-conditioning service warranty contracts; reviving and readopting ch. 634, F.S., notwithstanding repeals scheduled under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 200—A bill to be entitled An act relating to continuing care contracts; amending s. 651.021, F.S.; providing that the purchase of an existing building for the purpose of providing continuing care is not precluded by the lack of a certificate of authority; providing that, before marketing of certain expansions of certificated continuing care facilities may be commenced, written approval of the Department of Insurance is required; amending s. 651.023, F.S.; providing for issuance of certificates of authority and for release of moneys held in escrow; amending s. 651.026, F.S.; providing for annual reports by continuing care providers and the contents thereof; providing for change of a provider's fiscal year; amending s. 651.055, F.S.; revising provisions pertaining to refund provisions contained in continuing care agreements; amending s. 651.105, F.S.; revising provisions pertaining to correction of provider deficiencies; deleting authority of the Department of Insurance to levy administrative fines against providers for noncompliance; amending s. 651.114, F.S., pertaining to delinquency proceedings; providing that the rights of the department may be subordinated to the rights of a trustee pursuant to a resolution, ordinance, or indenture of trust securing bonds or notes issued to finance a facility; providing that the department may elect not to exer-

cise specified remedial rights under certain circumstances and conditions; providing for issuance of a temporary certificate of authority to a trustee or lender subject to certain conditions; repealing ss. 33, 34, ch. 83-328, Laws of Florida, s. 12, ch. 86-209, Laws of Florida, s. 9, ch. 87-136, Laws of Florida, s. 16, ch. 91-98, Laws of Florida, which provisions provide for the expiration or repeal of various sections of ch. 651, F.S., October 1, 1993, thereby continuing those sections; reviving and readopting ss. 651.013, 651.014, 651.024, F.S., notwithstanding their scheduled expiration October 1, 1993, thereby continuing those sections; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Commerce—

SB 202—A bill to be entitled An act relating to insurance; creating the Prepaid Limited Health Service Organization Act; providing for regulation of prepaid limited health service organizations and contracts by the Department of Insurance; providing definitions; specifying applicability of other laws; requiring incorporation; providing that such organizations are not authorized to transact any other insurance business; requiring and providing for application for certificate of authority; providing for issuance or denial of certificate; providing standards for continued eligibility; providing for issuance of provisional certificate of authority; requiring contracts in English, with translations provided in certain circumstances; specifying content of contracts; regulating rates and charges; prohibiting discrimination; specifying validity of noncomplying contracts; providing for construction of contract; providing for delivery; requiring notice of cancellation; specifying what payments are acceptable; prohibiting the advertising use of certain words; regulating contracts between organizations and providers, managers, and administrators; providing for complaints; specifying examination and investigation authority of the department; providing for determination of acceptable assets and investments; requiring reports; requiring licensed agents; requiring minimum surplus; providing for insolvency protection; requiring fidelity bonds; providing for suspension or revocation of certificate of authority; providing for administrative penalties; providing civil remedies; providing for injunctions; requiring payment of judgments within a specified time; providing for rehabilitation, conservation, and liquidation; providing fees; defining unfair methods, acts, and practices; providing for appeals; providing for confidentiality; providing for review and repeal; regulating acquisitions; imposing taxes; providing for deposit of such taxes; providing for rules; amending s. 624.5092, F.S.; providing for administration of taxes; repealing ch. 637, F.S., which provides for regulation of optometric, pharmaceutical, and dental service plan corporations; repealing ch. 638, F.S., which provides for ambulance service contracts; repealing s. 624.523(1)(l), F.S., which provides for deposit of certain sums into the Insurance Commissioner's Regulatory Trust Fund; providing an effective date.

—was referred to the Committees on Commerce; Finance, Taxation and Claims; and Appropriations.

By the Committee on Professional Regulation—

SB 204—A bill to be entitled An act relating to the regulation of professions and occupations; amending s. 11.62, F.S.; requiring proponents of legislation that provides for the regulation of a profession or an occupation to provide specified information to certain legislative committees or to the appropriate regulatory agency; revising references to the Department of Professional Regulation; repealing s. 20.30(10), F.S., as amended, which provides legislative intent for all newly regulated professions under the Department of Professional Regulation; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Casas—

SB 206—A bill to be entitled An act relating to road designations; designating a portion of West 49th Street in Hialeah as Sergeant Pedro "Pete" Caines Drive; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Casas—

SB 208—A bill to be entitled An act relating to sentencing, excluding capital felonies; creating the Truth in Sentencing Act of 1993; providing legislative intent; amending s. 775.084, F.S.; redefining and providing for enhanced sentencing of habitual felony offenders and habitual violent felony offenders; stating legislative intent that all cross references to s. 775.084, F.S., refer to that section as amended and enumerating said references; amending s. 777.04, F.S., relating to criminal attempts, solicitation, and conspiracy, to conform to the sentencing guidelines revision; amending s. 921.001, F.S.; providing the purpose of and additional requirements for the sentencing guidelines that are recommended to the Supreme Court by the Sentencing Commission; requiring the commission, with the Department of Corrections, to estimate rates of incarceration in the state correctional system and make funding and other recommendations to the Legislature; deleting obsolete provisions pertaining to alternative sentencing guideline recommendations; deleting a restriction on appellate review of departure sentences; amending ss. 924.06, 924.07, and 958.04, F.S., relating to appeal by defendant, appeal by the state, and judicial disposition of youthful offenders, to conform; creating s. 921.0011, F.S.; providing definitions; creating s. 921.0012, F.S.; providing sentencing guidelines offense levels based on severity rankings for specified crimes, including drug trafficking; providing multipliers for drug trafficking, habitual offender, and Law Enforcement Protection Act violation; providing additional points for possession of a firearm or destructive device, and providing for scoring criminal attempt, solicitation, or conspiracy; creating s. 921.0013, F.S.; providing requirements for ranking unlisted felony offenses; creating s. 921.0014, F.S.; providing sentencing guidelines worksheet computations; creating s. 921.0016, F.S.; providing nonexclusive aggravating and mitigating circumstances supporting departure by increasing or decreasing the length of the guidelines sentence; requiring the Sentencing Commission to adopt procedures for implementing revised sentencing guidelines; amending ss. 775.0823, 775.087, 775.0875, 784.08, 790.161, 790.165, 790.221, 893.13, 893.135, and 893.20, F.S., relating to violent offenses committed against certain law enforcement officials, possession of a firearm or destructive device, unlawful taking of a law enforcement officer's firearm, assault or battery on persons 65 years of age or older, unlawful activities involving destructive devices, planting of hoax bombs, unlawful possession of certain guns, controlled substances violations, trafficking violations, and continuing criminal enterprise; deleting provisions relating to mandatory minimum sentences and certain release, to conform to the sentencing guidelines revision; amending s. 944.275, F.S.; prohibiting the granting of basic gain-time for offenses committed after a specified date; prohibiting the granting of control release or provisional credits on or after a specified date; providing eligibility for consideration for control release or parole under certain circumstances; amending s. 775.082, F.S.; revising the first degree felony penalty provision; providing a listing of statutory cross references to s. 775.084, F.S., and a directive to the Division of Statutory Revision; providing effective dates.

—was referred to the Committees on Criminal Justice; Corrections, Probation and Parole; and Appropriations.

By Senator Kurth—

SB 210—A bill to be entitled An act relating to the City of Sebastian, Indian River County; authorizing the acquisition of an alcoholic beverage license by the city to be used in connection with the city's municipal recreational complex, including the city's golf course, and improvements connected with the use of the same; providing for terms and privileges of renewal; providing that such license may be transferred to a lessee or permittee who is a qualified applicant therefor, for the operation of a business by said lessee or permittee under such license in or at any clubhouse, restaurant, and cocktail lounge, and similar premises at said complex; providing that said license shall remain the exclusive property of the city, and upon termination of the contract with any such lessee or permittee said license shall revert to the city by operation of law; providing that said license shall not be subject to any quota or limitation but shall be an exception to such restrictions; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Commerce; and Rules and Calendar.

By Senators Thomas, Childers, Williams and Kirkpatrick—

SB 212—A bill to be entitled An act relating to saltwater fishing licenses; amending s. 370.0605, F.S.; deleting requirements for increased fees for residents of states contiguous to Florida; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

By Senator Diaz-Balart—

SB 214—A bill to be entitled An act relating to taxation of fuel; amending s. 161.091, F.S., and creating s. 161.105, F.S.; providing for award of grants by the Department of Natural Resources for projects relating to marine research and improvement; amending s. 163.3184, F.S.; correcting a reference; amending ss. 212.61 and 212.69, F.S.; providing for deposit in the Beach Management Trust Fund of a portion of the tax on the sale of fuels equal to the amount of taxes collected from sales at marinas to fund such grants; reenacting s. 207.026, F.S., relating to allocation of the tax on the operation of commercial motor vehicles, to include such distribution; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Agriculture—

SB 216—A bill to be entitled An act relating to the regulation of frozen desserts by the Department of Agriculture and Consumer Services; repealing s. 6 of ch. 83-12, Laws of Florida; abrogating the repeal of ch. 503, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture—

SB 218—A bill to be entitled An act relating to the regulation of milk and milk products by the Department of Agriculture and Consumer Services; repealing s. 2 of ch. 83-11, Laws of Florida; abrogating the repeal of s. 502.032, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture—

SB 220—A bill to be entitled An act relating to the regulation of leaf tobacco sales by the Department of Agriculture and Consumer Services; repealing s. 4 of ch. 83-9, Laws of Florida; abrogating the repeal of ch. 574, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture—

SB 222—A bill to be entitled An act relating to the Arabian Horse Council; amending s. 570.382, F.S.; revising the terms of office for members of the council; deleting a future repeal under the Sunset Act of provisions that establish the council; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture—

SB 224—A bill to be entitled An act relating to the regulation of horse sales, shows, and exhibitions by the Department of Agriculture and Consumer Services; repealing s. 11 of ch. 83-13, Laws of Florida; abrogating the repeal of ch. 535, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Agriculture—

SB 226—A bill to be entitled An act relating to the regulation of livestock markets by the Department of Agriculture and Consumer Services; repealing s. 3 of ch. 83-7, Laws of Florida; abrogating the repeal of ss. 534.47-534.53, F.S., under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Jennings—

SB 228—A bill to be entitled An act relating to reduction of salary or wages; amending s. 61.1301, F.S.; increasing deduction for reimbursement for administrative costs of income deduction orders; amending s. 77.0305, F.S.; increasing reimbursement for administrative costs of writs of garnishment; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on International Trade, Economic Development and Tourism—

SB 230—A bill to be entitled An act relating to the Department of Commerce; repealing s. 20.17(3), F.S., which creates the Motion Picture, Television, and Recording Industry Advisory Council within the Department of Commerce; amending s. 288.03, F.S.; deleting a reference to the advisory council; providing an effective date.

—was referred to the Committee on International Trade, Economic Development and Tourism.

By Senator Sullivan—

SB 232—A bill to be entitled An act relating to health care practitioners; creating s. 455.2456, F.S.; requiring all boards under the Department of Professional and Occupational Regulation which regulate health care practitioners to require by rule for medical malpractice insurance or limits of financial responsibility with respect to practitioners regulated by the board; providing a definition; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator Siegel—

SB 234—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "creditable service" to exclude service as a part-time elected official; amending s. 121.052, F.S.; deleting reference to part-time elected officials from the membership class of elected state and county officers; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Rules and Calendar; and Appropriations.

By Senator Siegel—

SB 236—A bill to be entitled An act relating to the judiciary; amending s. 26.01, F.S.; providing for 21 judicial circuits; amending s. 26.021, F.S.; deleting Seminole County from the Eighteenth Judicial Circuit; creating the Twenty-first Judicial Circuit composed of Seminole County; amending s. 26.031, F.S.; providing number of circuit judges in the Eighteenth and Twenty-first Judicial Circuits; amending s. 26.363, F.S.; deleting the spring and fall terms of the circuit court for the Eighteenth Judicial Circuit held in Seminole County; creating s. 26.366, F.S.; providing for spring and fall terms of the circuit court for the Twenty-first Judicial Circuit; amending s. 35.043, F.S.; adding the Twenty-first Judicial Circuit to the Fifth Appellate District; amending ss. 39.025, 396.1817, 397.216, F.S.; providing technical changes; providing for the reassignment of specified circuit judges to the Twenty-first Judicial Circuit; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By Senators Siegel, Foley, Jennings, Dyer and Diaz-Balart—

SB 238—A bill to be entitled An act relating to telecommunications services; creating s. 364.245, F.S.; providing findings; providing for discontinuation of telecommunications service if the service is used to violate state or federal law; providing for reinstatement of service; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By Senators Siegel, Grogan, Harden, Jennings, Dyer, Silver, Wexler, Jones, Diaz-Balart and Crist—

SCR 240—A concurrent resolution requesting the Supreme Court to conduct a study of the necessity for increasing the number of judicial circuits in this state and to submit its findings to the Legislature for further consideration.

—was referred to the Committees on Judiciary; Rules and Calendar; and Appropriations.

By Senators Siegel, Foley, Jennings, Silver, Wexler, Diaz-Balart, Crist and Williams—

SB 242—A bill to be entitled An act relating to gain-time; amending s. 944.275, F.S.; providing that inmates serving sentences for specified offenses are ineligible for basic gain-time; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senator Johnson—

SB 244—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.081, F.S.; providing that the homestead exemption for totally and permanently disabled veterans shall carry over to the benefit of a veteran's widow or widower who holds a life estate in the property; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

By Senator Johnson—

SB 246—A bill to be entitled An act relating to recreational lands; providing legislative intent; providing that owners of certain property owe no duty of care under certain circumstances; providing criteria for limitation of certain liabilities; providing for applicability; providing for liability under certain circumstances; providing construction; providing an effective date.

—was referred to the Committees on Judiciary; and Natural Resources and Conservation.

By Senator Forman—

SB 248—A bill to be entitled An act relating to breast cancer; establishing the Breast Cancer Task Force; providing for representation on the task force; providing responsibilities; requiring a report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Health Care; and Rules and Calendar.

By Senator Jennings—

SB 250—A bill to be entitled An act relating to driver's education; amending s. 322.13, F.S.; authorizing private secondary schools to provide driver's education courses and driver's license examinations; providing immunity from liability for persons employed to conduct such courses or examinations; providing an effective date.

—was referred to the Committees on Education; Transportation; and Finance, Taxation and Claims.

By Senator Siegel—

SB 252—A bill to be entitled An act relating to lobbying; prohibiting governmental entities from expending public funds to hire lobbyists unless the persons so hired meet specified criteria; providing a definition; providing an effective date.

—was referred to the Committees on Governmental Operations; Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator McKay—

SB 254—A bill to be entitled An act relating to public assistance; amending s. 409.235, F.S.; requiring recipients of aid to families with dependent children to submit proof of standard immunizations for children receiving benefits; providing for reduction of benefits for failure to comply; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Senator McKay—

SB 256—A bill to be entitled An act relating to ad valorem tax exemptions; amending ss. 196.081 and 196.091, F.S.; revising procedures and requirements for qualifying for the homestead exemptions for totally and permanently disabled veterans and for disabled veterans confined to wheelchairs; providing for granting the exemption to the surviving spouse under certain conditions; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

By Senators Jennings, Dantzler, Dyer, Siegel, Williams, Bankhead, Brown-Waite, Johnson, Grant, Kurth, Burt, Sullivan, Wexler, Meadows, Forman, Gutman, Casas, Thomas, Dudley, Childers, Beard, Turner, Weinstein, Silver, Myers and Boczar—

SB 258—A bill to be entitled An act relating to educational enhancement; providing for the issuance of Florida educational license plates by the Department of Highway Safety and Motor Vehicles; prescribing duties of the department with respect to such license plates; prescribing fees for such plates; prescribing uses of the proceeds from such license plates in enhancing educational programs; providing for automatic deauthorization of the plates in certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senators Jennings, Dudley and Hargrett—

SB 260—A bill to be entitled An act relating to dentistry and dental hygiene; amending s. 466.017, F.S.; authorizing administration of local anesthesia by licensed dental hygienists; requiring supervision of a licensed dentist; requiring certification; specifying qualifications; providing a fee; providing for rules; reenacting s. 466.028(1)(gg), F.S., relating to grounds for disciplinary action, to incorporate the amendment to s. 466.017, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Professional Regulation; and Finance, Taxation and Claims.

By Senators Kirkpatrick, Thomas, Meadows, Siegel and Casas—

SB 262—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; prescribing penalties for persons who sell, purchase, manufacture, or deliver, or possess with intent to sell, purchase, manufacture, or deliver, a controlled substance in, on, or within a specified distance of a public park; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Forman—

SB 264—A bill to be entitled An act relating to license plates; providing for the issuance of license plates to commemorate soil and water conservation; providing fees; providing for the use of such fees; providing for the discontinuance of such license plates; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Forman—

SB 266—A bill to be entitled An act relating to motor vehicles; amending s. 320.04, F.S.; providing for a service charge on registration renewal applications made through an automated touch-tone vehicle registration service; amending s. 320.07, F.S.; increasing delinquency fees for motor vehicle registrations; creating s. 320.0701, F.S.; providing for failure to register a vehicle; providing delinquency fees; providing for the immobilization of unregistered vehicles; providing for notice of violation; providing penalties; providing exemptions; repealing s. 207.029, F.S., relating to proof of liability insurance; amending s. 320.27, F.S.; redefining the term “motor vehicle dealer” to exclude governmental leasing corporations; defining the term “governmental leasing corporation”; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By Senator Grant—

SB 268—A bill to be entitled An act relating to construction contracting; amending s. 489.105, F.S.; defining the term “hard tile and marble contractor”; providing for the term to be included within the definition of specialty contractor for purposes of part I of chapter 489, F.S.; providing an effective date.

—was referred to the Committee on Professional Regulation.

By the Committee on Natural Resources and Conservation—

SB 270—A bill to be entitled An act relating to the Marine Fisheries Commission; amending ss. 370.025, 370.027, F.S.; deleting the requirement that the Governor and Cabinet approve rules of the commission; amending s. 370.026, F.S.; revising the expiration dates of commission members' terms of office; amending s. 370.0608, F.S.; revising the distribution of funds from the saltwater fishing license fees that are used for marine research; repealing s. 5, ch. 83-134, Laws of Florida; abrogating the repeal of ss. 370.025-370.029, F.S., under the Sundown Act; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Senator Sullivan—

SB 272—A bill to be entitled An act relating to substance abuse; amending s. 893.03, F.S., relating to controlled substance standards and schedules; providing technical changes to update and clarify the schedules; amending s. 893.135, F.S., relating to trafficking in a controlled substance; providing clarification of the substances that are included under the crime of trafficking in illegal drugs; providing other editorial clarifications; correcting cross references; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By Senator Casas—

SB 274—A bill to be entitled An act relating to consumer collection practices; amending s. 559.55, F.S.; providing definitions; creating ss. 559.553-559.713, F.S.; requiring licensure of consumer collection agencies by the Department of Banking and Finance; providing exemptions; pro-

viding for licensure forms, fees, and periods; providing for license reactivation; providing licensure requirements; providing for the denial or revocation of licenses; requiring a surety bond; providing departmental powers and duties; providing for the adoption of rules; providing for enforcement; providing for appointment of a receiver; providing for imposition of fines; providing grounds for disciplinary action; providing for investigations; providing for the confidentiality of certain information; providing immunity from civil liability; providing recordkeeping requirements; providing for deposits into the Regulatory Trust Fund of the Division of Finance; providing trust account requirements; providing procedures for debt collection; providing for the assignment of accounts; amending s. 559.715, F.S.; providing for assignment of consumer debts; amending s. 559.72, F.S.; prohibiting certain practices; amending s. 559.77, F.S.; providing venue; amending s. 559.78, F.S.; providing jurisdiction; creating s. 559.781, F.S.; providing penalties; providing an effective date.

—was referred to the Committees on Commerce; Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Governmental Operations—

SB 276—A bill to be entitled An act relating to the Investment Advisory Council of the State Board of Administration; amending s. 215.444, F.S.; reestablishing the Investment Advisory Council; amending terms of members; providing for electing officers; providing for staggered terms; reviving and readopting s. 215.444, F.S., relating to terms of office and certain duties of the council, notwithstanding repeal scheduled pursuant to s. 11.611, F.S., the Sundown Act; repealing s. 4, ch. 90-192, Laws of Florida; abrogating the repeal, scheduled under the Sundown Act, of s. 215.475(2), F.S., which prescribes duties of the council; providing an effective date.

—was referred to the Committees on Governmental Operations; and Finance, Taxation and Claims.

By Senator Childers—

SB 278—A bill to be entitled An act relating to motor vehicle titles; amending s. 319.231, F.S.; providing an additional exemption to the required impact fee on original certificates of title; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By Senator Bankhead—

SB 280—A bill to be entitled An act relating to jurors and grand jurors; amending s. 40.013, F.S.; providing that a person may not be excused from service on a civil trial jury solely because of deafness or hearing impairment; providing applicability; amending s. 90.6063, F.S.; requiring appointment of an interpreter to assist deaf jurors or grand jurors; amending s. 905.17, F.S.; authorizing interpreters to be present at grand jury deliberation or voting; amending s. 905.24, F.S.; prohibiting interpreters from disclosing grand jury proceedings; amending s. 913.03, F.S.; providing that deafness or hearing impairment shall not be the sole ground for challenging a juror in a civil action; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Kurth—

SB 282—A bill to be entitled An act relating to license fees for motorcycles, motor-driven cycles, mopeds, and trucks; amending s. 320.08, F.S.; redefining “antique truck”; restricting the use of safety education fees derived from the registration of motorcycles, motor-driven cycles, and mopeds to funding the Florida Motorcycle Safety Education Program; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By Senator Foley—

SB 284—A bill to be entitled An act relating to employment of minors; amending s. 450.021, F.S.; lowering the minimum age for gainful occupation of minors; amending s. 450.061, F.S.; removing a prohibited hazardous occupation for minors under a certain age; creating s. 450.0611, F.S.; requiring registration of for-profit corporations or organizations engaged in the employment of minors 15 years of age or younger for certain activities; requiring a fee; providing fines; amending s. 450.081, F.S.; revising the timeframe during which certain minors may be employed; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By Senators Burt and Kurth—

SB 286—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; revising the method of calculating retirement benefits under the Elected State and County Officers' Class of that system with respect to certain legislative service; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Rules and Calendar.

By Senators Holzendorf and Bankhead—

SB 288—A bill to be entitled An act relating to professional sports facilities; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to a professional golf hall of fame facility; creating s. 288.1168, F.S.; providing for certification of such facility by the Department of Commerce; providing requirements for certification and distribution of funds; providing for use of the funds distributed to the facility; providing for audits by the Department of Revenue; providing for confidentiality and for review and repeal; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Community Affairs; and Finance, Taxation and Claims.

By Senator Forman—

SB 290—A bill to be entitled An act relating to criminal activity by youth and street gangs; amending s. 874.03, F.S.; redefining the term "pattern of youth and street gang activity" to eliminate "the purpose of furthering gang activity" for purposes of ch. 874, F.S., which increases the penalty for a felony or violent misdemeanor that is part of a pattern of youth and street gang activity, which provides a civil cause of action for a violation of the chapter, which provides for forfeiture of profits, proceeds, or instrumentalities of criminal activity of youth and street gangs, and which provides for reporting certain crime information; providing an effective date.

—was referred to the Committees on Criminal Justice; and Health and Rehabilitative Services.

By Senator Jennings—

SB 292—A bill to be entitled An act relating to elections; amending s. 98.051, F.S.; authorizing voter registration on Sundays at locations other than the main office of the supervisor of elections, subject to prior notice; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Forman—

SB 294—A bill to be entitled An act relating to Broward County; providing for the relief of Daniel Baker, to compensate him for serious and permanent personal injuries sustained as a result of the negligence of an employee of Broward County; providing for payment by the Board of County Commissioners of Broward County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Senator Forman—

SB 296—A bill to be entitled An act relating to Broward County; providing for the relief of Angela Lee Nelson and Carl Nelson, as natural parents of Brittany Lee Nelson, the latter who sustained injuries as a result of the negligence of the South Broward Hospital District, d.b.a. Memorial Hospital; providing an appropriation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By the Committee on Health and Rehabilitative Services—

SB 298—A bill to be entitled An act relating to adult congregate living facilities; amending s. 400.401, F.S.; revising legislative purpose under pt. II, ch. 400, F.S.; providing legislative findings regarding the significance of a license issued under that part; amending s. 400.402, F.S.; adding and amending definitions of terms used in that part; amending s. 400.404, F.S.; changing the responsibility for licensing the facilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 400.407, F.S.; providing an additional violation; providing penalties; revising provisions relating to issuing licenses; providing circumstances in which a monitoring visit may not be waived; revising reporting requirements; revising fee provisions and providing an additional fee; amending s. 400.408, F.S.; revising provisions relating to referral to an unlicensed facility; adding provisions relating to a facility the license of which is under denial; amending s. 400.411, F.S.; changing the responsibility for licensing facilities from the department to the agency; amending s. 400.412, F.S.; revising provisions relating to the sale or transfer of ownership of a facility; revising the penalties and responsibilities of the transferor and the transferee of certain facilities; requiring a plan of correction or the correction of a condition before issuance of a license or lifting of a moratorium on admissions; amending s. 400.414, F.S.; specifying that the agency may deny, revoke, or suspend any license issued under this part; revising the list of actions that are grounds for action against a licensee; prohibiting certain actions; providing for applicability to a part owner of a facility; revising grounds for denial of licenses; providing a time period within which a hearing must be held in certain situations; amending s. 400.415, F.S.; providing for a moratorium on admissions to be imposed immediately in certain circumstances and to run concurrently with licensure denial, revocation, or suspension; amending s. 400.417, F.S.; changing responsibilities regarding license renewal and for issuance of conditional licenses from the department to the agency; providing for depositing late fees into the Health Care Trust Fund, rather than the Licensure Fees Trust Fund; amending s. 400.4174, F.S.; requiring the agency to be notified of confirmed reports of adult abuse, neglect, or exploitation or of child abuse or neglect; amending s. 400.4176, F.S.; requiring the agency to be notified of a change of administrator and extending the time period for such notice; amending s. 400.418, F.S.; changing the responsibility for the disposition of fees and administrative fines from the department to the agency; requiring the balance of accrued funds be used for certain purposes; amending s. 400.419, F.S.; changing the responsibilities relating to violations and penalties from the department to the agency; allowing the agency to impose penalties for fabrication of action to correct a violation; requiring hearing notice to be sent by certified mail; requiring the agency annually to produce a list of facilities cited for violations of pt. II, ch. 400, F.S.; providing for depositing the proceeds of certain fines into the Health Care Trust Fund; amending s. 400.4195, F.S.; providing a techni-

cal correction; amending s. 400.42, F.S.; allowing facilities to accept certain additional supplemental payments; amending s. 400.421, F.S.; changing the responsibility for instituting injunctive proceedings from the department to the agency; amending s. 400.422, F.S.; changing the responsibility for instituting receivership proceedings from the department to the agency; revising certain requirements for petitions for receivership; amending s. 400.424, F.S.; adding provisions relating to advance rent or security deposits and a refund policy; revising provisions relating to the bed-reservation policy and lease termination, if a resident is relocated as specified; amending s. 400.4255, F.S.; expanding and specifying allowable activities of licensed personnel; amending s. 400.426, F.S.; requiring certain records to be forwarded to the resident's case manager; expanding the use of the medical examination report; allowing a home health agency to provide services to a terminally ill resident under certain conditions; correcting terminology; amending s. 400.427, F.S.; revising provisions relating to the property and personal affairs of resident; prohibiting a facility owner or personnel from acting as a competent resident's payee without consent; correcting terminology; amending s. 400.428, F.S.; revising and expanding certain rights of facility residents; requiring a monitoring visit under certain circumstances; amending s. 400.429, F.S.; correcting terminology; amending s. 400.431, F.S.; requiring the department to specify by rule program office responsibilities relating to relocation of state clients; increasing the time period for reimbursement of advance payments for services that were not received; correcting terminology; amending s. 400.434, F.S.; providing that the agency has a right to enter and inspect certain facilities that have had their licenses revoked or suspended; correcting terminology; amending s. 400.435, F.S.; expanding requirements for distribution of inspection reports; correcting terminology; amending s. 400.441, F.S.; assigning responsibilities for rule-making and enforcement; amending requirements for minimum standards, including those relating to evacuation procedures; specifying agency and departmental responsibilities relating to food service inspections; revising provisions relating to the use of restraints; revising requirements relating to rulemaking; adding to conditions in which a full inspection is required; revising reporting requirements; providing for a fee for a duplicate license; amending s. 400.442, F.S.; requiring a corrective action plan for deficiencies relating to the administration or supervision of medication; correcting terminology; amending s. 400.444, F.S.; updating terminology; amending s. 400.445, F.S.; providing that the agency, not the department, has certain responsibilities relating to compliance with local zoning requirements; amending s. 400.447, F.S.; removing requirements relating to advertising before obtaining a license; providing a penalty for certain violations relating to freestanding facilities; reassigning certain duties from the department to the agency; amending s. 400.452, F.S.; adding a requirement for staff training; updating terminology; amending s. 400.453, F.S.; reassigning certain consulting duties from the department to the agency; amending s. 400.454, F.S.; reassigning certain duties relating to approving local subsidies from the department to the agency; deleting duties relating to collecting information; abrogating the repeal of pt. II, ch. 400, F.S.; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 300—A bill to be entitled An act relating to the Continuing Care Advisory Council to the Department of Insurance; repealing s. 34 of ch. 83-328, Laws of Florida; abrogating the repeal of s. 651.121, F.S., under the Sundown Act; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Commerce.

By the Committee on Health and Rehabilitative Services—

SB 302—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 400.301, F.S.; providing legislative intent with respect to inspections of nursing home facilities, adult congregate living facilities, and adult foster homes by ombudsman councils; amending s. 400.304, F.S.; redesignating the State Nursing Home and Long-Term Care Facility Ombudsman Council as the State Long-Term Care Ombudsman Council; designating the Department of Elderly Affairs as the state unit on aging for purposes of federal law; providing duties of the department in the operation of the ombudsman program; providing for the membership and duties of the state ombudsman council;

amending s. 400.307, F.S.; redesignating the district nursing home and long-term care facility ombudsman councils as the district long-term care ombudsman councils; providing for the membership and duties of the district ombudsman councils; amending s. 400.308, F.S.; locating the position of legal advocate for long-term care facility residents within the Office of the State Long-Term Care Ombudsman Council; providing duties of the legal advocate; amending s. 400.311, F.S.; providing for complaints against nursing home facilities, adult congregate living facilities, and adult foster homes; amending s. 400.314, F.S.; providing requirements for investigations by state and district ombudsman councils; amending s. 400.317, F.S.; providing procedures for resolving complaints against nursing home facilities, adult congregate living facilities, and adult foster homes; repealing 20.41(3), F.S., relating to the state and district nursing home and long-term care facility ombudsman councils; reviving and readopting portions of part I, ch. 400, F.S., notwithstanding repeals scheduled under the Regulatory Sunset Act; repealing s. 84, ch. 83-181, Laws of Florida, abrogating the repeal of ss. 400.304, 400.307, F.S., scheduled under the Sundown Act; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 304—A bill to be entitled An act relating to treatment and rehabilitation of drug dependents; amending s. 397.081, F.S.; requiring certain information to be submitted by applicants for DATAP licensure; providing an alternative method of satisfying licensure requirements; creating s. 397.083, F.S.; providing for licensure and renewal fees; amending s. 397.091, F.S.; prescribing requirements for a probationary or regular license to run a DATAP program; limiting the duration for which an interim license may be renewed; creating s. 397.0915, F.S.; providing for rules, including rules relating to firesafety; amending s. 397.092, F.S.; providing for restrictions on licenses and penalties on licenseholders; repealing s. 29, ch. 83-245, Laws of Florida, s. 27, ch. 88-398, Laws of Florida; saving certain sections from repeal or expiration, notwithstanding repeal under the Regulatory Sunset Act; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 306—A bill to be entitled An act relating to adult day care centers; amending s. 400.55, F.S.; revising the purpose of pt. IV, ch. 400, F.S.; amending s. 400.551, F.S.; adding and revising definitions for purposes of pt. IV, ch. 400, F.S.; amending s. 400.552, F.S.; transferring responsibility for licensure from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 400.553, F.S.; clarifying exemptions from licensure and regulation; amending s. 400.554, F.S.; requiring biennial licensure and replacing the existing annual license fee with a biennial participant capacity fee; amending s. 400.555, F.S.; requiring additional information from licensure applicants; amending s. 400.556, F.S.; adding ground for action against the owner of a center or its operator or employee; amending s. 400.5565, F.S.; specifying that the owner of a center, or its operator or employee, found in violation of this part or the rules adopted under this part is subject to an administrative fine; amending s. 400.557, F.S.; requiring biennial renewal of licenses; requiring additional information of applicants for renewal; amending s. 400.5575, F.S.; providing for the deposit of fees and fines; providing for the use of these moneys; amending s. 400.558, F.S.; transferring responsibility relating to injunctive proceedings from the department to the agency; amending s. 400.559, F.S.; requiring notice of change of owner or operator; amending s. 400.56, F.S.; providing right of entry and inspection to the agency; amending s. 400.562, F.S.; requiring rules consultation by the department with the agency; describing information that may form the basis for rules establishing standards; authorizing a fee for copies of statutes or rules; amending s. 400.563, F.S.; updating cross-references with respect to construction and renovation requirements; amending s. 400.564, F.S., relating to prohibited acts, to delete an unnecessary cross-reference and otherwise clarify the section; reviving and readopting ss. 400.55-400.564, F.S., as amended, notwithstanding their scheduled repeal October 1, 1993; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health and Rehabilitative Services—

SB 308—A bill to be entitled An act relating to child care; amending s. 402.302, F.S.; defining the term “before and after school program”; amending s. 402.3025, F.S.; providing for regulation of certain programs as child care if the State Board of Education fails to adopt rules for exempted programs; providing an additional criterion for exemption of certain programs operated by nonpublic schools; requiring that programs must document their eligibility for exclusion from licensure requirements; amending s. 402.307, F.S.; prescribing powers and duties of the Department of Health and Rehabilitative Services with respect to approving local licensing agencies to license child care facilities; providing for resumption of child care facility licensing by the department; amending s. 402.308, F.S.; prescribing duties of the department and of local licensing agencies with respect to training and performance by persons with responsibilities for child care facility licensing; amending s. 402.310, F.S.; providing that an applicant or licensee appealing a decision of a local licensing agency does so under the provisions of ch. 120, F.S.; amending s. 402.313, F.S.; eliminating licensure requirements for family day care homes that are participating in the subsidized child care program; prescribing duties of the Department of Health and Rehabilitative Services to study the family day care home system and make recommendations for necessary changes; amending s. 402.316, F.S.; prescribing procedures for a child care facility to claim exemption from licensure requirements; creating s. 402.317, F.S.; providing for rules relating to standards for before and after school programs; repealing s. 7, ch. 83-248, Laws of Florida, s. 4, ch. 83-250, Laws of Florida, s. 19, ch. 84-551, Laws of Florida, s. 1(4), ch. 89-296, Laws of Florida; reviving and readopting certain sections relating to subsidized child care and the care of dependent children under ch. 409, F.S., their repeal and review under the Regulatory Sunset Act notwithstanding; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By Senator Johnson—

SB 310—A bill to be entitled An act relating to Lake County; providing career service status for certain employees of the Lake County Sheriff; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Brown-Waite—

SB 312—A bill to be entitled An act relating to the Public Service Commission; creating s. 350.0606, F.S.; prohibiting certain employment by former members of the Florida Public Service Commission; amending s. 350.043, F.S.; providing penalties; providing an effective date.

—was referred to the Committees on Commerce; and Executive Business, Ethics and Elections.

By Senator Brown-Waite—

SB 314—A bill to be entitled An act relating to political endorsements; creating s. 106.145, F.S.; requiring the publishing in a political advertisement of the complete, legal name of political committees, committees of continuous existence, and other organizations that endorse or oppose a candidate for public office or issue appearing on a ballot; providing a civil penalty; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By the Committee on Health and Rehabilitative Services—

SB 452—A bill to be entitled An act relating to substance abuse; creating ss. 397.301, 397.305, 397.311, 397.321, 397.401, 397.403, 397.405, 397.406, 397.407, 397.409, 397.411, 397.415, 397.419, 397.427, 397.431, 397.451, 397.461, 397.471, 397.481, 397.501, 397.581, 397.601, 397.675,

397.6751, 397.6752, 397.6758, 397.6759, 397.677, 397.6771, 397.6772, 397.6773, 397.6774, 397.6775, 397.679, 397.6791, 397.6793, 397.6795, 397.6797, 397.6798, 397.6799, 397.681, 397.6811, 397.6814, 397.6815, 397.6818, 397.6819, 397.6821, 397.6822, 397.693, 397.695, 397.6951, 397.6955, 397.6957, 397.697, 397.6971, 397.6975, 397.6977, 397.701, 397.702, 397.705, 397.706, 397.752, 397.753, 397.754, 397.801, 397.811, 397.821, 397.901, F.S.; creating the “Hal S. Marchman Alcohol and Other Drug Abuse Services Act”; providing legislative findings, intent, and purpose; providing definitions; providing duties of the Department of Health and Rehabilitative Services; providing licensure requirements, including applications, fees, and exemptions, and providing criminal penalties and injunctive relief for violations; providing for joint regulation of certain state-operated programs; providing for a grace period for complying with newly adopted rules; providing for the issuance and renewal of probationary, interim, and regular licenses for service providers and licensable service components; authorizing the department to enter and inspect premises and records; providing for denial, suspension, and revocation of licenses and for other remedies, including an administrative fine; requiring service providers to maintain quality-assurance programs; providing for confidentiality of service provider records and of certain meetings of quality-assurance program committees; providing for review under the Open Government Sunset Review Act; providing for need determinations and selection of medication treatment providers and injunctions against unlawful operation; providing client responsibility for cost of services and requiring certain providers to establish sliding-scale fee systems; providing immunity from civil and criminal liability; requiring background checks of service provider personnel who are in direct contact with unmarried minor clients or developmentally disabled clients, and providing certain exemptions and certain disqualification from receiving state funds; providing criminal penalties for unlawful activities relating to personnel; requiring fingerprinting and providing exceptions; providing for confidentiality of personnel information; providing for review and repeal; establishing service provider owner, director, personnel, and facility standards; providing applicability of the Community Alcohol, Drug Abuse, and Mental Health Services Act; establishing the rights of clients, including the rights to judicial petition and habeas corpus and to counsel; providing for confidentiality of client records and providing exceptions; providing for review and repeal; providing for voluntary admission for persons impaired by substance abuse; forbidding local ordinances affecting impairment by means of substance abuse and providing a limited exception and petition for detention and treatment of habitual abusers in secure facilities; providing for involuntary admissions for substance-abuse services, including protective custody, emergency admission, and other involuntary admissions for purposes of assessment, stabilization, and treatment; providing for involuntary admission hearings; requiring certain parental participation; authorizing service providers, in certain circumstances, to discharge or refuse to admit clients ordered to involuntary admission and imposing related duties; providing criminal penalties for unlawful activities relating to client assessment and treatment; providing for the referral of substance-abuse-law offenders to service providers; providing for services for inmates who are substance abusers and providing definitions and duties of the Department of Corrections; requiring coordination of substance-abuse-services delivery and establishing the positions of statewide and departmental coordinators; providing for specialized substance-abuse-services coordination for juveniles, including prevention and early intervention councils and emergency assessment and treatment services; authorizing training and continuing education programs in substance-abuse treatment; amending ss. 39.01, 39.045, 39.046, 39.047, 39.063, 39.411, 90.503, 231.1713, 322.0602, 393.0657, 394.4572, 401.445, 402.22, 402.24, 402.3057, 409.1757, 415.107, 415.51, 490.014, 491.014, 627.669, 744.3215, 766.101, 790.06, 877.111, 893.15, 895.09, 939.017, 943.0585, 943.059, 945.12, 951.23, F.S., relating to juvenile justice, evidence, school personnel, the Youthful Drunk Driver Visitation Program, developmental disability and mental health personnel, medical transportation, health and rehabilitative services, social assistance, adult protective services, psychological services, counseling services, optional insurance coverage for substance-abuse treatment services, guardianship, medical review committees, weapons and firearms, chemical substances, controlled substances, forfeiture proceedings, misdemeanor convictions involving drugs and alcohol, court-ordered sealing or expunction of criminal history records, and state and county prisoners, to conform; amending s. 394.90, F.S.; authorizing the department to accept accreditation, in lieu of department inspection for licensure, for certain facilities that provide mental health services under the Community Alcohol, Drug Abuse, and Mental Health Services Act; repealing ss. 396.012, 396.022, 396.0429, 396.062, 396.072, 396.082, 396.092, 396.102, 396.105, 396.106, 396.112, 396.122, 396.131, 396.141, 396.151, 396.1515, 396.161,

396.173, 396.174, 396.175, 396.176, 396.177, 396.178, 396.179, 396.1815, 396.182, 396.052, 396.172, 396.1725, 396.032, 396.042, 396.0427, 396.181, 396.0425, 396.0815, 396.125, 396.1819, 396.1816, 396.1817, 396.1818, F.S., relating to alcoholism; repealing ss. 397.011, 397.021, 397.031, 397.041, 397.051, 397.0515, 397.0516, 397.0517, 397.0518, 397.052, 397.0525, 397.053, 397.054, 397.055, 397.056, 397.057, 397.061, 397.071, 397.0715, 397.0716, 397.0719, 397.081, 397.082, 397.091, 397.092, 397.093, 397.094, 397.095, 397.0961, 397.098, 397.099, 397.10, 397.12, 397.13, 397.14, 397.15, 397.16, 397.17, 397.18, 397.19, 397.20, 397.21, 397.215, 397.216, 397.217, 397.218, 397.22, F.S., relating to the treatment and rehabilitation of drug dependents; repealing section 29 of ch. 83-245, Laws of Florida, section 10 of ch. 85-333, Laws of Florida, and section 27 of ch. 88-398, Laws of Florida, abrogating the future repeal of provisions of chs. 396 and 397, F.S., relating to alcoholism and the treatment and rehabilitation of drug dependents, which was scheduled pursuant to the Regulatory Sunset Act; transferring funds from the Alcoholism Resource Licensing Trust Fund to the Substance-Abuse-Services Provider Licensing Trust Fund; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Finance, Taxation and Claims; and Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Orders were filed with the Secretary:

EXECUTIVE ORDER NUMBER 92-113

(Executive Order of Suspension)

WHEREAS, ARTHUR SAMUEL SEPPI is presently serving as judge of compensation claims, Department of Labor and Employment Security, and

WHEREAS, on March 24, 1992, the Honorable Michael J. Satz, State Attorney for the Seventeenth Judicial Circuit of Florida, filed an information charging ARTHUR SAMUEL SEPPI with battery upon a law enforcement officer, and on March 27, 1992, the Honorable Michael J. Satz, State Attorney for the Seventeenth Judicial Circuit of Florida, filed an information charging ARTHUR SAMUEL SEPPI with breach of the peace, and

WHEREAS, it is in the best interest of the citizens of the State of Florida that ARTHUR SAMUEL SEPPI be suspended from the position of judge of compensation claims that he now holds, upon the grounds hereinafter set forth.

NOW, THEREFORE, I, Lawton Chiles, Governor of Florida, do hereby find, determine, and allege as follows:

A. ARTHUR SAMUEL SEPPI is, and at all times relevant hereto was, a judge of compensation claims, Department of Labor and Employment Security.

B. The position of judge of compensation claims is subject to suspension by the Governor pursuant to Article IV, Section 7, Florida Constitution. Section 112.52, Florida Statutes.

C. On March 24, 1992 and on March 27, 1992, State Attorney Michael J. Satz filed informations in the Circuit Court of the Seventeenth Judicial Circuit of Florida, a copy of each being attached hereto and made a part hereof as if fully set forth in this executive order, charging ARTHUR SAMUEL SEPPI with violations of the criminal laws of the State of Florida.

D. The filing of an information by State Attorney Michael J. Satz charging ARTHUR SAMUEL SEPPI with the commission of a felony and charging ARTHUR SAMUEL SEPPI with conduct that violates Canon 2, Code of Judicial Conduct, constitute the grounds for this suspension pursuant to Article 14, Section 7, Florida Constitution and Sections 440.442 and 440.45, Florida Statutes.

Section 2.

ARTHUR SAMUEL SEPPI is hereby prohibited from performing any official act, duty, or function of judge of compensation claims, from receiving any pay or allowance, and from being entitled to any of the emoluments or privileges of deputy commissioner for the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



ATTEST:
Jim Smith
SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

EXECUTIVE ORDER NUMBER 92-216

(Executive Order of Suspension)

WHEREAS, Elwyn Maurice Coffman, Jr. is presently serving as Sheriff of Santa Rosa County, Florida, and

WHEREAS, on August 18, 1992, the Grand Jury, in the Circuit Court of the First Judicial Circuit, in and for Santa Rosa County, Florida, returned an indictment charging Elwyn Maurice Coffman, Jr., with racketeering, grand theft, two counts of tampering with evidence, two counts of obstruction of justice, harassment of witness, two counts of bribery and two counts of unlawful compensation; and

WHEREAS, it is in the best interest of the residents of Santa Rosa County, Florida that Elwyn Maurice Coffman, Jr. be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth.

NOW, THEREFORE, I, Lawton Chiles, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. Elwyn Maurice Coffman, Jr. is, and at all times material hereto was, the Sheriff of Santa Rosa County, Florida.

B. The Office of sheriff is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that Elwyn Maurice Coffman, Jr. did commit acts in violation of the laws of the State of Florida, and this indictment is hereby incorporated by reference as if fully set forth in this executive order.

D. This suspension is predicated upon the attached indictment, which contains charges constituting misfeasance and malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1.

Elwyn Maurice Coffman, Jr. is hereby suspended from the public office which he now holds, to wit: Sheriff of Santa Rosa County, Florida.

Section 2.

Elwyn Maurice Coffman, Jr. is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



ATTEST:
Jim Smith
SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 29th day of April, 1992.

Lawton Chiles
GOVERNOR

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 19th day of August, 1992.

Lawton Chiles
GOVERNOR

EXECUTIVE ORDER NUMBER 93-1

(Executive Order of Suspension)

WHEREAS, Earl Sermon Dyess, Jr. is presently serving as Sheriff of Hendry County, Florida, and

WHEREAS, on January 4, 1993, the Grand Jury, United States District Court, Middle District of Florida, Fort Myers Division, returned an indictment charging Earl Sermon Dyess, Jr., with conspiring to import cocaine, importing cocaine, conspiring to possess with intent to distribute cocaine, and possessing with intent to distribute cocaine, and

WHEREAS, it is in the best interest of the residents of Hendry County, Florida that Earl Sermon Dyess, Jr. be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth.

NOW, THEREFORE, I, Lawton Chiles, Governor of Florida, Pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. Earl Sermon Dyess, Jr. is and at all times material hereto was, the Sheriff of Hendry County, Florida.

B. The Office of sheriff is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that Earl Sermon Dyess, Jr. did commit acts in violation of the laws of the United States, and this indictment is hereby incorporated by reference as if fully set forth in this executive order.

D. This suspension is predicated upon the attached indictment, which contains charges constituting felonies, which charges also constitute misfeasance and malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1.

Earl Sermon Dyess, Jr. is hereby suspended from the public office which he now holds, to wit: Sheriff of Hendry County, Florida.

Section 2.

Earl Sermon Dyess, Jr. is hereby prohibited from performing any official act, duty; or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 4th day of January, 1993.

Lawton Chiles
GOVERNOR

ATTEST:

Jim Smith

SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

Referred to the Committee on Executive Business, Ethics and Elections.

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

Office and Appointment		For Term Ending
Board of Accountancy		
Appointees:	Davis, Shaun M., Hollywood Spottswood, Andrea A., Key West	12/26/95 12/26/95
Board of Acupuncture		
Appointees:	Han, C. L., Jacksonville Yen, Johanna Chu, Ft. Lauderdale	09/30/95 09/30/95
Board of Architecture and Interior Design		
Appointees:	Hall, Berta, Winter Park Laramore, Charlotte P., Marianna Young, Janice Roberts, Jacksonville	09/30/96 10/31/96 09/30/96
Florida Board of Auctioneers		
Appointee:	Kahin, La Sharn Mercer, Tampa	10/31/95
Greater Orlando Aviation Authority		
Appointees:	Hattaway, Robert T., Longwood Miller, William, Jr., Orlando Ritch, John B., Kissimmee	04/16/96 04/16/96 04/16/96
Barbers' Board		
Appointees:	Pumilia, Frank J., Margate Rodriguez, Lionel M., Orlando	08/10/94 06/30/96
Florida Black Business Investment Board		
Appointee:	Stith, Melvin T., Tallahassee	09/30/94
Board of Building Codes and Standards		
Appointees:	Browdy, Richard S., Jacksonville D'Andrea, Nicholas, Jr., Tampa DeBay, James L., West Palm Beach Duffield, G. Curtis, Orlando Fenwick, William K., Jacksonville Marshall, Suzanne Adkins, Tallahassee Murdock, Douglas R., Alachua Schneider, Larry M., Palm Springs Stump, Hugh A., Jr., Gainesville Watts, Jacqueline Ann, Tallahassee	01/21/95 01/15/95 12/08/93 01/30/95 01/31/95 03/11/93 01/23/95 08/11/95 04/05/93 05/01/95
Capitol Center Planning Commission		
Appointees:	Dion, Elizabeth A., Atlantic Beach Murley, James F., Tallahassee	09/30/95 09/30/96
Hillsborough County Civil Service Board		
Appointees:	Francisque-Paul, Yveline M., Tampa Sanchez, Carmen, Tampa	07/02/95 07/02/95
Clinical Laboratories Advisory Council		
Appointee:	Gonzalez, Mario S., Miami	11/30/95
Board of Clinical Laboratory Personnel		
Appointees:	Graham, Eleanore, Winter Haven Malgerstorfe, Luisa Marianna, Casselberry Mavros, George S., Homosassa Warden, Beverly A., Miami	10/31/95 10/31/96 10/31/95 10/31/94
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		
Appointees:	Connor, Olga Arazoza, Miami Landis, Charles E., Delray Beach Szuch, Roger B., Jacksonville Beach	09/30/96 09/30/94 09/30/93
State Board of Community Colleges		
Appointees:	Belohlavek, John M., Tampa Benjamin, Philip, St. Petersburg Dorsey, Mable S., Gainesville Hunt, Toby S., Ocala Marchman, Hal S., Astor Yates, Alton W., Jacksonville	09/30/96 09/30/97 09/30/97 09/30/93 09/30/95 09/30/97
Board of Trustees of Chipola Junior College		
Appointee:	Robinson, Josephine Roulhac, Chipley	05/31/95
Board of Trustees of Daytona Beach Community College		
Appointee:	Wadsworth, Wilhelmina L., Flagler Beach	05/31/94
Board of Trustees of Edison Community College		
Appointees:	Carlton, Gregory A., Clewiston	05/31/96

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Taylor, Charles E., Jr., LaBelle	05/31/96	Ward, Curtis E., Panacea	12/17/95
Board of Trustees of Florida Community College at Jacksonville		Board of Professional Engineers	
Appointees: Hightower, Michael R., Jacksonville	05/31/95	Appointee: Coby, Alvin G., Pensacola	12/20/95
Kelley, Howard W., Jr., Jacksonville	05/31/93	Board of Directors, Enterprise Florida, Inc.	
Poole, Wesley R., Fernandina Beach	05/31/95	Appointees: Candela, Hilario, Miami	07/01/94
Board of Trustees of Gulf Coast Community College		Donovan, Fred C., Pensacola	07/01/95
Appointee: Gander, James V., Apalachicola	05/31/96	Duncan, Buell G., Jr., Orlando	07/01/94
Board of Trustees of Lake City Community College		Gardner, James E., Palm Coast	07/01/95
Appointees: Gafford, Frank M., Lake City	05/31/93	Gargiulo, Jeffrey D., Naples	07/01/93
Jones, Skipper K., Cross City	05/31/93	Hodor, Howard, Gainesville	07/01/96
Skinner, Walter H. III, Lake City	05/31/95	Lastinger, Allen L., Jr., Jacksonville	07/01/93
Board of Trustees of Manatee Community College		Reed, Cynthia V., Margate	07/01/93
Appointees: Branick, Gladys, Bradenton	05/31/96	Ruthven, Joe P., Lakeland	07/01/95
Brown, Gwendolyn Y., Palmetto	05/31/93	Weaver, Dorothy C., Miami	07/01/96
Perkins, Robert E., Sarasota	05/31/96	Commission on Ethics	
Board of Trustees of Miami-Dade Community College		Appointee: Canton, Mirta P., Miami	06/30/94
Appointee: Pantin, Leslie V., Jr., South Miami	05/31/93	Florida State Fair Authority	
Board of Trustees of Pasco-Hernando Community College		Appointees: Bowman, William E., Jr., Delray Beach	06/30/95
Appointee: Davis, Mitchell, Jr., Land O'Lakes	05/31/94	Clay, R. T., Sr., Grandin	06/30/95
Board of Trustees of Pensacola Junior College		Duda, Elizabeth A., Oviedo	06/30/95
Appointee: Coker, Denton R., Milton	05/31/94	Board of Funeral Directors and Embalmers	
Board of Trustees of Polk Community College		Appointee: Hiers, John M., Ocala	08/01/95
Appointee: Stewart, Herbert S., Winter Haven	05/31/95	Game and Fresh Water Fish Commission	
Board of Trustees of St. Petersburg Junior College		Appointee: Morris, Julie K., Sarasota	01/06/97
Appointees: Davis, Pamela Jo, St. Petersburg	05/31/95	Board of Professional Geologists	
Megaloudis, Demos A., Tarpon Springs	05/31/95	Appointees: Freeland, George L., Key Biscayne	09/30/93
Board of Trustees of South Florida Community College		Greene, Collace, Ormond Beach	09/30/93
Appointee: Goodman, Sharon T., Arcadia	05/31/93	Harbormaster for the Port of Fernandina	
Board of Trustees of Valencia Community College		Appointee: Kavanaugh, William Hardee,	12/05/93
Appointee: Lackey, Jan Duke, Kissimmee	05/31/96	Fernandina Beach	
Construction Industry Licensing Board		Harbormaster for the Port of Ft. Pierce	
Appointees: Adams, Robert J., Lakeland	09/30/95	Appointee: Ergle, Walter W., Ft. Pierce	09/26/93
Barge, James A., Tallahassee	09/30/93	Harbormaster for the Port of Key West	
Blankenship, Michael L., Havana	09/30/96	Appointee: Sweeting, Ulric E., Key West	02/08/94
Delafield, Ed, Lakeland	09/30/96	Board of Hearing Aid Specialists	
McKittrick, Paul T., Daytona Beach	09/30/96	Appointee: Diehl, Janet J., Sun City Center	07/30/95
Nelson, Terri Johnson, Gulf Breeze	09/30/96	Health Care Board	
Watts, Robert E., Jr., Tallahassee	09/30/92	Appointees: Bozard, John W., Apopka	09/30/95
Board of Correctional Education		Brickler, Alexander D., Tallahassee	09/30/94
Appointees: Hernandez, Victoria, Miami	08/31/95	Carr, John S., Pensacola	09/30/93
Smith, James J., Orlando	08/31/93	del Portal, Carlos A., Palm Beach	
State of Florida Correctional Medical Authority		Gardens	09/30/94
Appointees: Conzemius, James D., St. Augustine	09/30/95	High, Joshua, North Miami Beach	09/30/95
Folsom, Fain, Tallahassee	07/01/96	Jones, Edna C., Tampa	09/30/94
McNeal, Donald Richard, Gainesville	07/01/96	Malchon, Jeanne, St. Petersburg	09/30/93
Board of Cosmetology		Mauk, William H., Jr., Miami	09/30/94
Appointees: Biggett, Earl S., Ft. Myers	01/01/94	Otis, Kenneth C. II, Jacksonville	09/30/94
Pazos, Carlos A., Tampa	01/01/96	Stern, Elliot J., Coral Gables	09/30/93
Board of Trustees for the Florida School for the Deaf and the Blind		Tidikis, Frank, Clearwater	09/30/94
Appointee: Luzadder, Lynn Ann, Kissimmee	11/07/95	Vaurio, Ruth R., Ormond Beach	09/30/95
Board of Dentistry		Citrus County Hospital Board	
Appointees: Keller, Peter A., Hollywood	02/07/96	Appointees: Henigar, Robert L., Crystal River	07/07/96
Williamson, Carol E., Ocala	02/07/96	Jones, Floyd L., Inverness	07/05/93
Florida Elections Commission		Board of Trustees of South Lake County Hospital District	
Appointees: Buermann, Eric, Miami	12/10/95	Appointees: McGriff, Dorothy C., Clermont	07/05/95
Carroll, Mary Fran, Sarasota	12/27/95	Vander Meer, J. M., Clermont	07/05/96
Dunn, Edgar M., Jr., Ormond Beach	12/10/95	Florida Housing Finance Agency	
Wilson, Sandra H., Tampa	12/10/95	Appointee: Pitts, Otis, Jr., Miami	11/13/92
Electrical Contractors' Licensing Board		Florida Commission on Human Relations	
Appointees: Johnson, Dawn R., Clearwater	12/17/95	Appointees: Garcia, Sandra Anderson, Lutz	09/30/95
Small, Rae, Cedar Key	12/17/94	James, Keith A., West Palm Beach	09/30/93
		Mallue, James, St. Petersburg	09/30/95
		Richman, Gerald F., Miami Beach	09/30/94
		Thompson, Geraldine F., Windermere	09/30/94

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Wagner, Deborah Hardin, Tallahassee	09/30/95	Dunn, Hampton, Tampa	06/30/93
State Board of Independent Colleges and Universities		Fleischman, Sol J., Jr., Tampa	06/30/95
Appointees: Jacob, Bruce R., St. Petersburg	09/30/94	Ham, Andrew M., Temple Terrace	06/30/94
O'Laughlin, Jeanne, Miami Beach	09/30/94	Jennewein, Joan W., Tampa	06/30/94
Rose, Jane A., Naples	09/30/95	Rowe, H. Dean, Tampa	06/30/95
		Venable, Glenda P., Temple Terrace	06/30/93
State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools		Board of Psychological Examiners	
Appointees: Callen, Sharon R., St. Petersburg	07/01/94	Appointees: Frank, Rose S., Plant City	09/30/95
Cronin, Maida P., Brandon	07/01/93	Lewis, Juliet A., Belleair	09/30/95
Keiser, Arthur, Parkland	07/01/93		
Miracola, John J., Port St. Lucie	07/01/94	Commission for Purchase from the Blind or Other Severely Handicapped	
Pardue, Carolyn R., Tallahassee	07/01/94	Appointees: Samuelson, Janet E., Cocoa	10/01/96
Peoples, David L., Orlando	07/01/92	Thompson, William S., Jupiter	10/01/95
Florida International Affairs Commission		Florida Real Estate Appraisal Board	
Appointees: Salem, Richard J., Tampa	07/09/93	Appointees: Geraghty, Kelley E., Ft. Myers	05/20/94
Stahl, Angelique O., Ft. Lauderdale	07/09/92	Tyre, Ralph Charles, Oldtown	05/20/94
Investment Advisory Council		Oklawaha Basin Recreation and Water Conservation and Control Authority in Lake County	
Appointee: London, I. Edward, Key Biscayne	12/12/94	Appointee: Modica, James V., Minneola	07/13/96
Board of Landscape Architecture		West Florida Regional Planning Council, Region 1	
Appointees: Baker, Ted, Miami	03/04/95	Appointees: Allen, Robert C., Pensacola	Pleasure of Governor
Gomez, Julio M., Miami	03/04/96		
Hemphill, Dave, Pensacola	03/04/96	Breeding, Garnett M., Jr., Milton	Pleasure of Governor
Governor's Mansion Commission		Folta, Bethany L., Santa Rosa Beach	Pleasure of Governor
Appointees: Coulter, Gray R., Jacksonville	09/30/95	McGill, Maureen L., Pensacola	Pleasure of Governor
Douglass, William Dexter, Tallahassee	09/30/96	Riley, Judith Byrne, Ft. Walton Beach	Pleasure of Governor
Marine Fisheries Commission			
Appointee: Geraghty, Patrick E., Ft. Myers	08/01/95	Apalachee Regional Planning Council, Region 2	
Board of Nursing		Appointees: Crum, Eloise M., Panacea	10/01/94
Appointee: Cameron, Martha M., Jacksonville	08/01/93	McMillan, S. Craig, Quincy	10/01/94
Board of Nursing Home Administrators		Sanders, Barbara, St. George Island	10/01/94
Appointee: Goodman, Terry C., Miami	12/13/94	Smith, Carlton, Blountstown	10/01/94
Board of Opticianry		North Central Florida Regional Planning Council, Region 3	
Appointees: DeLisle, Annette G., Plant City	12/26/95	Appointees: Clemons, Charles W., Sr., Alachua	10/01/94
Jones, William V., Sarasota	12/26/95	Harris, Oscar L., Jr., Archer	10/01/93
Whited, Edmund A. III, Pensacola	12/26/95	McPherson, Dale J., Gainesville	10/01/94
Winterling, Joan P., Orlando	12/26/94	Page, Malcolm V., Perry	10/01/94
Board of Optometry		Riddick, Joseph F., Hampton	10/01/94
Appointee: Barber, Melvin V., Jr., Quincy	12/28/94	Riherd, Paul M., Lake Butler	10/01/94
Board of Osteopathic Medical Examiners		Sawyer, Tom, Lake City	10/01/92
Appointees: Schwemmer, Sandra, Tavernier	01/29/96	Walker, Jane B., Gainesville	10/01/92
Taylor, Gertrude S., Pensacola	01/29/96		
Parole Commission		Northeast Florida Regional Planning Council, Region 4	
Appointees: Crockett, Maurice G., Tallahassee	11/01/97	Appointees: Drawdy, R. Lee, Orange Park	10/01/92
Latham, Gary D., Marianna	10/06/97	Waldron, Harry, St. Augustine	10/01/92
Revell, E. Guy, Jr., Tallahassee	10/01/97		
Board of Physical Therapy Practice		Withlacoochee Regional Planning Council, Region 5	
Appointees: Hall, Douglas C., Ocala	10/01/95	Appointees: Bronson, Thomas E., Brooksville	10/01/92
Menge, Jewell E. W., Panama City	10/01/93	Love, Diane D., Yankeetown	10/01/94
Norman, Nancy K., Lawtey	10/01/95	Smith, Gordon Peek, Ocala	10/01/94
Board of Pilot Commissioners		Tolle, Katherine B., Crystal River	10/01/94
Appointees: Brown, Warren T., Pensacola	10/31/95		
Fuller, James W., Panama City	06/30/96	East Central Florida Regional Planning Council, Region 6	
Board of Podiatric Medicine		Appointees: Arthur, Allen E., Jr., Orlando	10/01/94
Appointees: Goldstein, Murray B., Boca Raton	01/08/96	Augustine, Edward L., Clermont	10/01/92
Meritt, Stephen M., Jacksonville	01/08/96	Barice, Carole Joy, Longwood	10/01/92
Postsecondary Education Planning Commission		Cherney, Becky J., Orlando	10/01/94
Appointees: Diaz, Vilma T., Margate	02/04/96	Chotas, Elias N., Orlando	10/01/93
Mautz, Robert B., Gainesville	02/04/96	Dunn, Wesley, Port Orange	10/01/94
Wheeler, Mark K., Ft. Lauderdale	02/04/96	Ford, F. A., Jr., DeLand	10/01/94
Historic Tampa-Hillsborough County Preservation Board of Trustees		Franz, Carolyn R., Longwood	10/01/94
Appointees: Acosta, Delphin J., Tampa	06/30/95	Hughes, Larry E., Melbourne	10/01/93
Baker, Andrew A., Tampa	06/30/94	Kosmas, Suzanne M., New Smyrna Beach	10/01/93
Bender, Shelby Jean Roberson, Plant City	06/30/93	Lehner, Charlotte W., Howey-in-the Hills	10/01/94
		Moehle, Charles F., Cocoa Beach	10/01/94
		Thacker, Jo O., Kissimmee	10/01/94

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Williams, Donald A., Sr., Merritt Island	10/01/94	Unemployment Appeals Commission	
Central Florida Regional Planning Council, Region 7		Appointee: Harris, Charlie, Nobleton	06/30/96
Appointees: Bryan, Charles, Sebring	10/01/94	Board of Veterinary Medicine	
Clemons, Susanne H., Okeechobee	10/01/95	Appointee: Gomez-Sanchez, Elise P., Lutz	08/01/94
Jones, Mary E., Fort Meade	10/01/94	Governing Board of the Southwest Florida Water Management District	
Roberts, Lawrence A., Wauchula	10/01/95	Appointees: Campo, Ramon F., Brandon	03/01/96
Waldron, Eugene E. Jr., Arcadia	10/01/95	Davis, Joe L., Jr., Wauchula	03/01/96
Tampa Bay Regional Planning Council, Region 8		Eger, Rebecca, Sarasota	03/01/96
Appointees: Ball, Lindsay, Jr., Palm Harbor	10/01/94	Hamner, John T., Bradenton	03/01/93
Judson, Robert W., Jr., Zephyrhills	10/01/94	Roehr, Rita J., Sarasota	03/01/96
Nodine, William E., Belleair	10/01/94	Alafia River Basin Board of the Southwest Florida Water Management District	
Romano, Barbara B., Tampa	10/01/94	Appointees: Bowers, Lois C. S., Tampa	03/01/95
Scriven, Mary S., Tampa	10/01/94	Helmen, Dorothea, Sun City Center	03/01/95
Stovall, Leonard D., New Port Richey	10/01/94	Williford, Lynda Kay, Ruskin	03/01/94
Southwest Florida Regional Planning Council, Region 9		Hillsborough River Basin Board of the Southwest Florida Water Management District	
Appointees: Bennett, H. L., LaBelle	10/01/94	Appointees: Gilder, Robert L., Tampa	03/01/93
Russell, W. Kevin, Port Charlotte	10/01/94	Griffin, John P., Tampa	03/01/94
Snipes, Carl B., Lehigh Acres	10/01/92	Ross, Merilee O'Berry, Tampa	03/01/94
Suarez, Israel, Ft. Myers	10/01/94	Williams, R. H., Brooksville	03/01/95
Thomas, Ruth McCoy, Sarasota	10/01/93	Manasota Basin Board of the Southwest Florida Water Management District	
Treasure Coast Regional Planning Council, Region 10		Appointees: Jones, Judith L., Sarasota	03/01/95
Appointees: Coyle, Nelia M., Jensen Beach	10/02/94	Schember, Doris M., Bradenton	03/01/95
Flanigan, John F., North Palm Beach	10/01/94	Spencer, Robert N., Bradenton	03/01/95
Hartman, Peter, Stuart	10/01/93	Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District	
Orvis, Lacene, Tequesta	10/01/94	Appointees: Allen, Lola F., Odessa	03/01/93
Williams, Lorenzo, Ft. Pierce	10/01/94	Kaplan, Jonathan D., Tampa	03/01/95
South Florida Regional Planning Council, Region 11		Meade, Donald R., Tampa	03/01/95
Appointees: Ciereszko, Ana Alejandre, Miami	10/01/92	Parsons, Gail, Odessa	03/01/94
Harrison, Debra S., Big Pine Key	10/01/94	Tillotson, Gwen, Odessa	03/01/93
Simon, Lester A., Miami	10/01/94	Peace River Basin Board of the Southwest Florida Water Management District	
State Retirement Commission		Appointees: Barben, Robert H., Avon Park	03/01/94
Appointees: Coker, Donnie J., Ormond Beach	12/31/95	Martensen, Lorenz T., Punta Gorda	03/01/94
Feuerberg, Arlene, Plantation	12/31/94	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District	
Roberts, Dorothy B., Tallahassee	12/31/93	Appointees: Mitchell, D. Dewey, New Port Richey	03/01/93
Board of Supervisors, Spaceport Florida Authority		Updegraff, Ramona M., Redington Beach	03/01/94
Appointees: Busansky, Sheldon, Tampa	06/30/96	Welch, David T., St. Petersburg	03/01/94
McCartney, Forrest S., Indian Harbour Beach	06/30/96	Withlacoochee River Basin Board of the Southwest Florida Water Management District	
Ogden, Tom, Titusville	06/30/96	Appointees: Popejoy, Raymond F., Ocala	03/01/95
Board of Speech-Language Pathology and Audiology		Vogel, John T., San Antonio	03/01/94
Appointees: Craig, Robert J., New Port Richey	09/30/96	Workers' Compensation Panel	
Walker, Virginia G., Tallahassee	09/30/96	Appointees: Stiles, Mary Ann, Tampa	Pleasure of Governor
Jacksonville Sports Development Authority		Urta, Marty, Coral Gables	Pleasure of Governor
Appointee: Nimnicht, E. A. II, Jacksonville	09/30/95	Referred to the Committee on Executive Business, Ethics and Elections.	
Florida Commission on Tourism		Board of Regents	
Appointees: Benson, Hayward J., Jr., Lauderhill	06/30/96	Appointees: Lindsay, Elizabeth G., Sarasota	01/01/98
Cokes, Solomon A., Jr., Estero	06/30/93	Pittman, Sean A., Tallahassee	09/01/93
Garfield, Randy A., Orlando	06/30/96	Referred to the Committees on Education; and Executive Business, Ethics and Elections.	
Hach, John R., Orlando	06/30/94	Secretary of Labor and Employment Security	
Halloran, John F., Ponte Vedra Beach	06/30/93	Appointee: Gooding, Shirley O., Tallahassee	Pleasure of Governor
Healan, Jack B., Jr., Amelia Island	06/30/96		
Kimball, Russell A., Jr., Clearwater	06/30/94		
Litrenta, Edward J., Orlando	06/30/96		
Morgan, Dianna, Orlando	06/30/94		
Mott, Austin L. III, Ft. Myers	06/30/96		
Nierenberg, Bruce, Miami	06/30/96		
Palacio, Luis, Coral Gables	06/30/93		
Patronis, Jimmy T., Panama City	06/30/94		
Ryals, Shirley A., Tampa	06/30/96		
Sanborn, John H., Bagdad	06/30/93		
Sims, Bill, Orlando	06/30/94		
Staed, Thomas W., Daytona Beach	06/30/93		
Florida Transportation Commission			
Appointee: Kirschenbaum, Malcolm R., Cocoa Beach	09/30/95		

Acting Secretary of Labor and Employment Security			CIRCUIT COURT			COUNTY COURT		
Appointee:	Gooding, Shirley O., Tallahassee	Pleasure of Governor	CIRCUIT	REQUEST	CERT.	COUNTY	REQUEST	CERT.
Florida Public Service Commission			1	—	—		—	—
Appointee:	Johnson, Julia L., Tallahassee	01/01/97	2	1	—		—	—
Referred to the Committees on Commerce; and Executive Business, Ethics and Elections.			3	1	1		—	—
			4	—	—			
Secretary of Management Services						Clay	1	1
Appointee:	Linder, William H., Tallahassee	Pleasure of Governor	5	2	1		—	—
Acting Secretary of Management Services			6	1	1	Pasco	1	—
						Pinellas	1	—
Appointee:	Strong, Larry, Tallahassee	Pleasure of Governor	7	—	—		—	—
Referred to the Committees on Governmental Operations; and Executive Business, Ethics and Elections.			8	1	—		—	—
			9	2	2	Orange	1	1
Secretary of Community Affairs						Osceola	1	1
Appointee:	Shelley, Linda Loomis, Tallahassee	Pleasure of Governor	10	2	1	Polk	1	—
Referred to the Committees on Community Affairs; and Executive Business, Ethics and Elections.			11	2	1	Dade	2	—
			12	1	1		—	—
REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS			13	1	1	Hillsborough	2	1
			14	—	—		—	—
The Committee on Community Affairs recommends that the Senate confirm the appointment made by the Governor of Linda Loomis Shelley, as Secretary of Community Affairs, to serve at the pleasure of the Governor.			15	—	—	Palm Beach	2	1
			16	—	—		—	—
The Committee on Governmental Operations recommends that the Senate confirm the appointment made by the Governor of William H. Linder, as Secretary of Management Services, to serve at the pleasure of the Governor.			17	1	—	Broward	4	1
			18	—	—	Brevard	1	1
						Seminole	1	—
			19	1	—		—	—
			20	<u>3</u>	<u>2</u>		—	—
TOTALS				19	11		18	7

The Committee on Community Affairs recommends that the Senate confirm the appointment made by the Governor of Linda Loomis Shelley, as Secretary of Community Affairs, to serve at the pleasure of the Governor.

The Committee on Governmental Operations recommends that the Senate confirm the appointment made by the Governor of William H. Linder, as Secretary of Management Services, to serve at the pleasure of the Governor.

The appointments contained in the foregoing reports were referred to the Committee on Executive Business, Ethics and Elections under the original reference.

By permission the following certificate was received:

SUPREME COURT OF FLORIDA

No. 81,116

In re: CERTIFICATION OF JUDGESHIPS
[January 27, 1993]

BARKETT, C. J.

Under the provisions of article V, section 9, of the Florida Constitution, the Florida Supreme Court is responsible for determining the need for an increase or decrease in the number of judges required to consider and dispose of cases filed before the respective courts. To this end, we have analyzed case filings and evaluated the growth in the workload of the State Courts System over the past several years, in light of additional judgeships which have been authorized each year by the Florida Legislature.

As the result of this review, we certify the need for four district court of appeal judges, eleven circuit court judges, and seven county court judges. A comparison of the requests for new judges filed by the respective courts and the new judgeships certified as needed for fiscal year 1993-94 follows.

REQUESTS/SUPREME COURT CERTIFICATION

DCA	REQUEST	CERTIFIED
1	2	2
2	2	2
3	—	—
4	—	—
5	—	—
TOTALS	4	4

Florida Rule of Judicial Administration 2.035(b)(2) sets forth the criteria for certification of need for additional judges in the district courts of appeal. The Court received requests for two additional judgeships each from the First and Second District Courts of Appeal. We certify the need for these four judges. In evaluating this request, we gave the greatest weight to past and projected filings.

The last judgeship authorized for the First District Court of Appeal was effective in January 1990. Two judgeships were certified as necessary in both 1991 and 1992, but they were neither authorized nor funded by the Florida Legislature. It is projected that from 1989 to the end of 1993 total filings for the First District Court of Appeal will have increased by 1,285 cases. This represents a 37 percent increase. This growth trend is consistent in all categories of cases, including criminal, civil, administrative, and workers' compensation matters. Additionally, the First District Court of Appeal has exclusive jurisdiction to hear workers compensation appeals and handles a disproportionate share of appeals of administrative rulings. These factors are sufficient to justify two additional judgeships for the First District Court of Appeal.

The Second District Court of Appeal has experienced substantial growth in its caseload since the last judgeship for that court was authorized in January 1989. It is projected that from 1989 to the end of 1993 total filings for the Second District Court of Appeal will have increased by 1,667 cases. This represents a 47 percent increase. Almost half of this growth will occur in 1992 and 1993. This growth trend is consistent in all categories of cases, including criminal, civil, and administrative matters. These factors are sufficient to justify two additional judgeships for the Second District Court of Appeal.

Florida Rule of Judicial Administration 2.035(b)(1) sets forth the criteria for certification of need for judges at the trial court level. As with certifications in recent years, we have placed the greatest weight on statistical data reflecting the growth and composition of caseloads in the various circuits and counties. We have determined that the most consistent and reliable factor at the circuit court level is total case filings per judge. Criminal, civil, probate, family, guardianship, mental health and juvenile case filings for each circuit are also evaluated by applying different weights reflecting their differential requirements for judicial hearing time and attention. The filings per judge statistics for the county courts are adjusted to exclude worthless check and civil traffic infractions. In

addition to those factors prescribed in Florida Rule of Judicial Administration 2.035, other criteria we considered included the use of county and senior judges on temporary assignment; the availability of supplemental hearing resources furnished by the counties (traffic magistrates, child support hearing officers, and general or special masters); reliance on mediation and arbitration to resolve cases; and special local circumstances that affect case handling.

The need for additional judgeships at the circuit court level is greater than in the past two years. We certified the need for only eight circuit judges in fiscal 1991-92 and 1992-93. We find it necessary to certify the need for eleven circuit judges this year, including one additional circuit judgeship for the Third, Fifth, Sixth, Tenth, Eleventh, Twelfth, and Thirteenth judicial circuits, and two additional circuit judgeships for the Ninth and Twentieth judicial circuits.

Our data shows that the rate of growth in filings in the circuit courts began to increase in 1992 after a period of slow growth between 1989 and 1991. Criminal, juvenile, family, probate, guardianship and mental health filings are projected to grow significantly through 1993. Much of this growth is attributed to a substantial increase (over 10 percent) in violent criminal filings, domestic violence petitions and delinquency petitions. Circuit civil filings are projected to be down almost four percent from 1991 to 1993, largely due to a significant decrease in contract and indebtedness cases. This decrease is primarily due to the change in the monetary jurisdiction of the circuit court from \$5,000 to \$15,000, over the past two years.

Based on the caseload trends discussed above, we find compelling justification for eleven new circuit court judgeships. All but one of the courts for which new circuit judgeships are certified are projected to have 1993 filings levels above the 1,865 filings per judge threshold, at which this Court has determined there is a presumptive need for more judicial resources. Other factors, such as geographical constraints affecting judicial assignments, reliance on senior judges on temporary assignment, and historical assignments of county judges to hear circuit court matters, weighed heavily in our decisions for selected circuits.

These judgeships are critical to the ability of the circuit courts to keep up with caseloads. Since the last circuit judges were added in January, 1991, significant delays in obtaining a trial date or hearing on a motion are developing. We must ensure criminal dockets are adequately covered. Likewise, we must be concerned about the resulting congestion in civil calendars. We find that intolerable delays will only worsen if the additional judgeships we have certified are not authorized and funded. The eleven circuit court judgeships we find to be needed are the absolute minimum required to meet our constitutional mandates. Authorization of these judges will not enable us to reverse the trends discussed above, but they are crucial to our ability to avoid greater delays than are currently the norm in many circuits.

Our request for additional county judges is very limited this year. One additional judgeship is deemed necessary for Broward, Hillsborough, Orange, Osceola, Clay, Brevard, and Palm Beach counties. All of these counties have realized steady increases in filings and all are ranked among the top ten counties in filings per judge.

In evaluating the need for additional judges we relied principally on filings data. The filings data were adjusted to exclude highly variable counts of civil infractions and worthless checks because of their limited requirements for judicial time. We looked at the total filings, including criminal, civil and DUI cases. We also added and considered other criminal traffic matters at the recommendation of the Court Statistics and Workload Committee. Finally, we evaluated the extent to which county judges have served as circuit judges, in courts requesting additional circuit or county judges.

Article V, section 2(b) of the Florida Constitution permits county judges who are qualified to serve on the circuit court to be assigned temporarily to hear matters within the jurisdiction of the circuit courts. Such assignments are often necessary and indeed, critical to the effective management of caseloads in many circuits. However, the failure of lawmakers to authorize and fund additional judges, which were certified as necessary by this court in the past two legislative sessions, has forced an increasing reliance on county judges to address workload pressures in the circuit courts. This has occurred to a greater extent in urban jurisdictions. In some cases, county judges appear to have been assigned to circuit court full time for a year or more. These assignments are detrimental to case handling in county courts and are contrary to the intent of the assignment authority in Article V of the Constitution.

In view of these circumstances this Court has elected to withhold certification of some of the additional county judges requested by selected urban courts pending a review of local assignment practices, even though their requests may be justified on the basis of caseload statistics. The Court directs that this review be conducted by the Court Statistics and Workload Committee, with the assistance of the Office of the State Courts Administrator. It is to involve study of (1) the manner in which all active circuit and county judges are assigned, (2) the extent of utilization of county judges in circuit court, (3) the use of senior judges, and (4) the availability and use of supplemental hearing resources such as traffic magistrates, child support hearing officers and general or special masters. The Committee is to make recommendations on how the Court can better evaluate requests for additional judgeships in the larger, urban jurisdictions and propose any additional policy or criteria it believes would be helpful to the court in making its certification of need for additional judges.

Full funding for the requests certified as needed herein is deemed absolutely essential if Florida's courts are to fulfill their constitutional mandate to try cases in a fair, impartial, and timely manner.

It is so ordered.

OVERTON, McDONALD, SHAW, GRIMES, KOGAN and HARDING, JJ., concur.

Original Proceeding - Certification of Judgeships

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(With Revisions)

Agriculture

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Subcommittee A: Senator Beard, Chairman; Senators Casas, Foley, Hargrett, Kirkpatrick and Silver

Subcommittee B: Senator Dudley, Chairman; Senators Brown-Waite, Dyer, Grant, Holzendorf, Sullivan, Turner and Williams

Subcommittee C: Senator Myers, Chairman; Senators Bankhead, Childers, Jenne, Kurth and McKay

Subcommittee D: Senator Burt, Chairman; Senators Dantzler, Diaz-Balart, Harden, Jones and Weinstein

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Legislative Information Technology Resources

Senator Jones, Alternating Chairman; Senators Boczar and Sullivan

RECESS

Pursuant to the motion by Senator Jennings previously adopted, upon dissolution of the joint session at 12:00 noon, the Senate recessed to reconvene Wednesday, February 3 at 9:00 a.m.

SENATE PAGES

February 1-5

Tiffany Lawanda Austin, Tallahassee; Michelle Berrigan, Tallahassee; Jair Cole, Tallahassee; Ame Michele Dufon, Pensacola; Alisha D. Haugabrook, Tallahassee; Roderick D. Hunter, Tallahassee; Bron V. Jacobs, Tallahassee; Angela Kazakos, Pensacola; Jessica Patrick, Tallahassee; Michael Scott, Doctors Inlet; Brian Henry Smith, Palm Harbor; Jacqueline Stevens, Coral Springs; Beth LeAnn Tindall, DeLand; Archibald L. Watkins, Jr., Tallahassee; Fornicher Weatherspoon, Havana; Tara Leigh Windsor, Orlando